

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 1

Preamble

- §101. Short Title
- §102. Purpose
- §103. Interpretation
- §104. Control
- §105. Validity

Part 2

Definitions

- §201. General Interpretation
- §202. Definitions

Part 3

Plan Processing and Content

- §301. Plan Classification and Public Notification
- §302. Review by Chester County and Other Agencies
- §303. Sketch Plan Submission, Review and Content
- §304. Preliminary Plan Submission, Resubmission, Review and Content
- §305. Final Plan Submission, Resubmission, Review and Content
- §306. Accompanying Data
- §307. Recording of Final Plan
- §308. Resubdivision Plan Submission, Review and Content
- §309. Subdivision and Land Development Improvements Agreement
- §310. Performance Guarantees
- §311. Commencement of Development
- §312. Plan Amendments

Part 4

Development Design Standards

- §401. General
- §402. Land Requirements
- §403. Lot Design
- §404. Monuments and Markers
- §405. Street System
- §406. Street Rights-of-Way Widths
- §407. Increase of Rights-of-Way Width
- §408. Street Grades

- §409. Street Alignment
- §410. Street Intersections
- §411. Single Access Streets/Cul-de-Sacs
- §412. Acceleration, Deceleration and Turning Lanes
- §413. Street Construction
- §414. Private Streets
- §415. Private Driveways
- §416. Curbs
- §417. Street Names and Signs
- §418. Sidewalks
- §419. Parking Areas
- §420. Shade Trees and Screen Planting
- §421. Sewage Treatment and Disposal
- §422. Water Supply
- §423. Other Utilities
- §424. Stormwater Management
- §425. Stripping, Piling, Replacement or Removal of Topsoil
- §426. Park, Recreation and Open Space
- §427. outdoor Lighting Requirements and Standards
- §428. Landscaping, Screening and Buffering
- §429. Natural and Historic Features Protection

Part 5

Mobile/Manufactured Home Parks

- §501. Submission of Application and Review of Plans
- §502. Permits, Inspections and Fees
- §503. Discontinuation of Use
- §504. Density, Area and Dimensional Standards
- §505. Access Requirements
- §506. Sewage Treatment and Disposal
- §507. Water Supply
- §508. Outdoor Lighting Requirements and Standards
- §509. Electrical Distribution System
- §510. Refuse Disposal and Recycling
- §511. Fuel Supply and Storage
- §512. Stormwater Management
- §513. Open Space, Landscaping, Screening and Buffering
- §514. Community Buildings
- §515. Fire Protection
- §516. Maintenance of Common Areas and Facilities

Part 6

Construction and Acceptance of Improvements

- §601. Construction Required
- §602. Inspections
- §603. Maintenance Responsibilities
- §604. Release from Performance Guarantee
- §605. As-Built Plans
- §606. Dedication and Acceptance of Improvements

- §607. Maintenance Guarantee
- §608. Liability Insurance

Part 6-A

Standard Construction and Material Specifications for Public Improvements

- §601-A. Standard Specifications
- §602-A. Supplemental Nature of Standard Specifications
- §603-A. Inconsistencies

Part 7

Administration

- §701. Enforcement
- §702. Records
- §703. Fees and Costs
- §704. Modifications and Waivers
- §705. Appeals
- §706. Amendments

Appendix

- Hydric Soils
- Plan Processing Schedule
- Plant List

Part 1

Preamble

§101. Short Title. This Chapter shall be known and may be cited as "The East Coventry Township Subdivision and Land Development Ordinance of 2003." (Ord. 128, 7/19/2004, §100)

§102. Purpose. The Chapter is designed:

A. To accomplish the coordinated development of the Township, thereby creating conditions favorable to the health, safety and general welfare of the citizens in conformance with the adopted East Coventry Township Comprehensive Plan and other applicable Township ordinances and regulations.

B. To secure sites suitable for building purposes and human habitation, while protecting the soils, vegetation, quality of the waters and other elements of the ecology.

C. To provide for the general welfare by protecting the economic, cultural, social and governmental structure of the Township and guiding development and growth, as well as improving governmental processes and functions.

D. To guide the type, location and layout of streets and coordinate such streets with the existing street system so as to insure that prospective traffic is properly accommodated and to facilitate fire protection, and to guide the type, location and layout of recreation areas, public grounds and other facilities.

E. To insure that adequate easements or rights-of-way shall be provided for streets, drainage and other utility facilities.

F. To insure that land within the Township that is susceptible to flooding or subsidence is used in such manner as shall not endanger life or property.

G. To insure that all new development incorporates adequate provisions for a reliable, safe and adequate water supply to support the intended uses within the capacity of available resources.

H. To allow innovative and high quality subdivision design that will lead to sustainable community.

I. To encourage desirable development of the Township in a manner consistent with the goals and objectives of the adopted Comprehensive Plan and other ordinances of East Coventry Township.

(Ord. 128, 7/19/2004, §101)

§103. Interpretation. The provisions of this Chapter shall be held to be the minimum requirements for the promotion and protection of the above stated purposes. Where the provisions of this Chapter impose greater restrictions than those of any other applicable ordinance or regulation, the provisions of this Chapter and its standards and specifications shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Chapter, the provisions of such statute, ordinance or regulation shall prevail. (Ord. 128, 7/19/2004, §102)

§104. Control.

1. All subdivision and land development within East Coventry Township is subject to the provisions of this Chapter and all plats of land intended for subdivision or land development must be submitted to the Board of Supervisors of East Coventry Township for approval.

A. Subdivision and Land Development Control. No land development, subdivision or resubdivision of a lot, tract or parcel of land shall be effected, and no street, sanitary sewer, storm drain, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting hereon, except in strict accordance with the provisions of this Chapter.

B. Sale of Lots, Issuance of Building Permits, Erection of Buildings or Onsite Improvements. In a subdivision or land development, no lot may be used or sold, no building permit may be issued, and no building or other structure may be erected, unless and until:

(1) A final plan for such subdivision or land development shall have been approved and duly recorded.

(2) A grading plan, including a complete conservation plan for erosion and sediment control, has been duly approved.

(3) Either the required onsite and/or public improvements from the lot or building to an existing improved street, or otherwise, shall have been constructed or the Township has been assured, by means of a proper performance guarantee in the form of a financial security of such type as shall be approved by the Board of Supervisors sufficient to cover the cost of all required public and onsite improvements, as estimated by the Township Engineer, that such public and onsite improvements will subsequently be installed by the developer or owner of the property.

2. Where, owing to unusual and specific conditions, a literal enforcement of any of the provisions of this Section would result in unnecessary hardship, such reasonable exceptions thereto may be made by the Township Supervisors in accordance with §704 of this Chapter, as will not be contrary to the interests of the public or property owner involved or adjacent thereto, in which case the issuance of a permit, or erection of a building, or other structure may be permitted subject to such conditions and

safeguards as may be imposed to assure adequate streets and other public improvements, and adequate conservation and other onsite improvements.

(Ord. 128, 7/19/2004, §103)

§105. Validity. Should any section or provision of this Chapter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Chapter as a whole or any other part thereof. (Ord. 128, 7/19/2004, §104)

Part 2

Definitions

§201. General Interpretation.

1. The captions used in this Chapter are for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Chapter.

2. Unless otherwise expressly stated, or where the context clearly indicates otherwise, the words and phrases defined in this Part, whether with initial capitalization, full capitalization or otherwise shall be construed throughout this Chapter to have meanings indicated in this Part.

3. The present tense of any word or phrase used in this Chapter includes the future; the singular number includes the plural and the plural the singular and the masculine gender includes the feminine and neuter.

4. Whenever appearing in this Chapter, the word "used" includes the words "designed, arranged or intended to be used;" the word "occupied" includes the words "designed or intended to be occupied;" the words "shall" and "will" are always mandatory; the words "may" and "should" are always permissible; the words "person," "applicant," "subdivider," "developer" and "owner" include a corporation, unincorporated association, partnership or other legal entity, as well as an individual; the word "building" includes a structure and shall be construed as if followed by the phrase "or part thereof;" and the words and phrases "such as," "including" and the like are intended to introduce matters which are illustrative of the meaning of the sentence, clause or phrase in which such words or phrases appear without limiting or derogating from the general application of the sentence, clause or phrase in which such words or phrases appear.

5. Unless specifically provided otherwise herein, any reference in this Chapter to any other ordinances of the Township, to any Federal or State law or statute, to any regulation, study, map, survey or other matter issued or prepared by the Board of Supervisors, or any officer or official thereof, and/or by any Federal or State public body, or a public officer or official thereof, shall include such other ordinance, law, statute, regulation, study, map, survey or other matter, with all amendments and supplements thereto, and any new ordinance, law, statute, regulation, study, map, survey or other matter substituted for the same, as in force at the time of application hereunder.

6. Unless specifically provided otherwise herein, any reference in this Chapter to any governmental agency, department, board, commission or other public body, or to any public officer or other public official, shall include an entity or official which or who succeeds to substantially the same functions as those performed by such public body or official at the time of the application hereunder.

(Ord. 128, 7/19/2004, §200)

§202. Definitions.

AASHTO - the American Association of State Highway and Transportation Officials.

ACCELERATED EROSION - the removal of the surface of the land through the combined actions of man and natural processes at a rate that is greater than would occur from the natural process upon undisturbed land.

ACT 247 - the "Pennsylvania Municipalities Planning Code," Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended by the Act of December 21, 1988, P.L. 1329, No. 170, 53 P.S. §10101 et seq., and any subsequent amendments thereto.

AGRICULTURAL SECURITY AREA - an area of the Township comprising more than five hundred (500) acres of land used for the agricultural production of crops, livestock and livestock products under the ownership of one (1) or more persons and designated as such by the procedures set forth in the Agricultural Area Security Law, Act of June 30, 1981, P.L. 128, No. 43, as amended. 3 P.S., §901, et seq. Generally, the agricultural security area is protected from certain condemnation procedures. The purpose of the agricultural security area is to preserve agricultural land in the Commonwealth of Pennsylvania.

AGRICULTURE - the cultivating of the soil, the raising and marketing of livestock and poultry, dairying and the marketing of products of the soil that are produced on the premises including, but not by way of limitation, nursery, horticultural and forestry products, but excluding commercial swine and commercial poultry facilities. The keeping of horses for domestic purposes shall not be considered an agricultural use.

ALLEY - a strip of land over which there is a right-of-way, serving as a secondary means of access to two (2) or more properties.

ALLUVIAL SOILS - soils generally found in floodplains and formed by the deposit of sediments or alluvium washed from uplands. Alluvial soils in East Coventry Township are identified as Chewacla and Rowland Series soils.

APPLICANT - a landowner or developer, as herein defined, who has filed an application for development, including his heirs, personal representatives, successors and assigns.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

BERM - a raised earthen structure generally level and formed of compacted soils used for the control of stormwater, either by impoundment or diversion or used for screening and/or buffering.

BLOCK - an area of land bounded by streets, roads or other types of rights-of-way.

BOARD - the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania.

BUFFER (BUFFER AREA, BUFFER YARD) - a designated area of land, containing a landscaped screen, as defined herein, between two (2) uses intended to protect one use from another use that is incompatible, or to provide privacy between two (2) uses, or intended to protect the view(s) of or from a use.

BUILDER - a person, not necessarily the owner, subdivider, developer of land or agent, who by contract or otherwise is responsible for the construction of buildings or other structures or for making any construction improvements on any parcel of land.

BUILDING - any structure or part thereof for which a permit is required under or by this Chapter, the Zoning Ordinance [Chapter 27] and/or the Building Code [Chapter 5]; any structure, permanently located on the ground, having enclosing walls and a roof; a mobile home and a trailer used or to be used for human occupancy.

BUILDING CODE - the Building Code of East Coventry Township as codified in Part 1 of Chapter 5 of the Code of Ordinances of the Township of East Coventry.

BUILDING SETBACK LINE (BUILDING LINE) -

A. Except in the case of an interior lot, the building setback line shall be a line, within and extending the full width of a lot, parallel to the street line and setback a distance therefrom equal to the depth of the minimum required front yard. In the case of an interior lot (where preexisting or approved by relief), the building setback line shall be a line, within and extending the full width of the lot, which is (a) parallel to the intervening lot line nearest the street line, and (b) setback from such intervening lot line a distance equal to the depth of the minimum required front yard, or in the case of an existing interior lot of record, a distance equal to seventy-five (75) feet in accordance with the Zoning Ordinance [Chapter 27].

B. For the purpose of measuring lot width at and along the building setback line, the following shall apply:

(1) Except as otherwise provided in subsection (2), below, the building setback line, for the purpose of measuring lot width, shall be the minimum building setback line as defined in subsection (A), above.

(2) In the case of a lot having its entire street frontage within the turnaround, measured from reverse curve to reverse curve, of a cul-de-sac street, the building setback line, for the purpose of measuring lot width, shall be a curved line that is (a) parallel to and concentric with the street line, and (b) set back from the street line a distance equal to at least the depth of the minimum required front yard but in no case more than twice the depth of the minimum required front yard.

SUBDIVISION AND LAND DEVELOPMENT

CALIPER - the diameter of a tree trunk measured at a point three and one half (3½) feet above the ground surface.

CARTWAY - that portion of a street or alley paved or otherwise intended for vehicular traffic. Where vertical curbs are provided, the area between the sides of the curbs facing the cartway shall be included in the cartway.

COMMON OPEN SPACE or OPEN SPACE - a parcel or parcels of land or an area of water or a combination of land and water within a development site designed and intended for the use or enjoyment of the residents of a development and other neighborhoods, consisting of landscaped or natural terrain including lakes and streams. Common open space shall be substantially free of buildings (but may include such buildings or other improvements as are in the development plan as finally approved and as are appropriate for the recreational uses). Common open space shall not include street rights of way, yards, required areas for buildings, off-street parking areas or stormwater detention or retention facilities or other noncommon open space functions. The common open space may include recreational uses such as tennis courts, squash courts, playgrounds, golf courses, swimming pools or other like uses.

COMPREHENSIVE PLAN - the document adopted in accordance with the provisions of Act 247, as the Comprehensive Plan for the Township of East Coventry by the Board of Supervisors.

CONDOMINIUM - real estate, portions of which are designed for separate ownership, the remainder of which is designed for common ownership solely by the owners of those portions, created under the Pennsylvania Uniform Condominium Act of 1980.

CONSERVATION PLAN - see §306(1) of this Chapter.

CONSTRUCTION - any disturbance of the existing surface of the land or the erection of structures thereon, including the cutting of trees or clearing of brush, provided, however, that the entering upon premises, for purposes of surveying, staking or the clearing of lines necessary to obtain data on existing conditions shall not be deemed "construction."

CROSSWALK - a right-of-way exclusively for pedestrian or nonmotorized vehicle travel across a street.

CUL-DE-SAC - a single access local street intersecting another street at one end and terminated at the other end by a permanent vehicular turnaround.

DATE OF SUBMISSION - the date on which a completed application for subdivision and land development together with all required information, fees, etc., is received by East Coventry Township.

DBH - the diameter of a tree at breast-height usually measured three and one-half (3½) feet from the ground surface.

DESIGN STANDARDS - minimum standards by which a subdivision or land development is developed.

DESIGNATED FLOODPLAIN DISTRICTS - The Floodplain Districts specifically described in the Zoning Ordinance [Chapter 27] including the FW, Floodway Floodplain District, the FF, Flood Fringe Floodplain District and the FA, General Floodplain District. See Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

DETENTION BASIN - a structure designed to retard surface water runoff for a period of time sufficient to provide for a reduced rate of discharge through a controlled outlet, and to retard the velocity and cause the deposition of sediment, and as a means of preventing erosion.

DEVELOPER - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT -

A. For the purposes of this Chapter applicable to floodplains, "development" shall mean any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations or storage of equipment or materials and the subdivision of land.

B. For other purposes of this Chapter, "development" shall have the meaning set forth in subsection (A), above, and shall also mean a land development as defined herein.

DEVELOPMENT AGREEMENT - see §309 of this Chapter.

DIVERSIONS - a channel or ditch and embankment constructed across a sloping land surface, either on the contour or at predetermined gradient, to intercept and divert stormwater before it gains sufficient volume or velocity to scour or cause harmful erosion.

DRAINAGE - the flow of water or other liquid and the means or structures for directing such flow, whether surface or subsurface, and whether natural or artificial.

DRAINAGE AREA - the upstream watershed area of a drainage basin measured from a point of discharge in the watercourse.

DRAINAGE FACILITY - any structure or improvement designed, intended or constructed for the purpose of diverting surface waters from or carrying surface water off streets, public rights-of-way, or any part of any subdivision or land development.

DRIVEWAY, PRIVATE - that portion of a lot that is intended for vehicular use and which is privately owned, whether paved or unpaved.

DWELLING - a building designed, modified and/or constructed for residential purposes.

SUBDIVISION AND LAND DEVELOPMENT

EARTH-MOVING ACTIVITY - human activity, other than agricultural activities, that results in the movement of soil or stripping of vegetative cover from the earth.

EASEMENT - a permanent right granted for limited use of private land, normally for a public purpose (e.g., utility, drainage, public access). The owner of the property shall have the right to make any other use of the land that is not inconsistent with the rights of the grantee.

EASEMENT, CONSERVATION - a legal agreement between a property owner and an appropriate conservation organization or governmental entity through which the property owner establishes certain use restrictions over all or portions of the property for conservation purposes.

ENGINEER, TOWNSHIP - a professional engineer, licensed as such by the Commonwealth of Pennsylvania, duly appointed as the engineer for the Township.

EROSION - the process by which soils, vegetation and manmade materials on the earth's surface are worn away by action of water, wind, frost, or a combination of such action by natural forces.

FILL - material, exclusive of structures, placed or deposited so as to form an embankment or raise the surface elevation of the land.

FOOTCANDLE - a unit of light quantity or density when the foot is the unit of measure. One (1) footcandle equals one (1) lumen per square foot of area.

GLARE - brightness in the field of view that is sufficiently greater than the amount of light to which the eye is adapted, to cause annoyance, discomfort or loss of visual performance and visibility.

GLARE, DISABLING - brightness in the field of view that impairs visibility and creates a potential hazard to the health, safety and welfare of residents and others in the Township.

GLARE, NUISANCE - brightness in the field of view that creates an annoyance or aggravation but does not create a potentially hazardous situation.

GRADE, EXISTING - the elevation, relative to a given datum, of the ground surface prior to any excavation or fill.

GRADE, FINISHED - the elevation, relative to a given datum, of the ground surface after completion of any excavation or fill.

GRADE, PROPOSED - the elevation, relative to a given datum, of the ground surface to be achieved by excavation or fill.

GRADING - the changing of the surface of the ground by excavation or filling, or combination of the two, the act of moving earth.

GRADING PLAN - a plan to scale showing existing and proposed buildings and other structures, as well as existing and proposed contours at sufficient intervals to define scale, location, depth and gradient and general slope of the ground.

GREENWAY LANDS - that portion of a tract set aside for the protection of sensitive natural features, farmland, scenic views and other unique features. Greenway lands may be accessible to the residents of a development and/or municipality, or it may contain areas of conservancy lots that are not accessible to the public.

GUARANTEE, MAINTENANCE - financial security, that is approved by the Board of Supervisors and which is required by the Board under and pursuant to §309 of this Chapter to guarantee the structural integrity and functioning of improvements, dedication of which to the Township, is accepted by the Board of Supervisors.

GUARANTEE, PERFORMANCE - financial security, that is approved by the Board of Supervisors and which is required by the Board under and pursuant to §310 of this Chapter as a condition to final approval of a subdivision or land development plan, to guarantee that the improvements shown on the plan are installed and completed in accordance with the plan and applicable provisions of this Chapter.

GUTTER - that portion within a street right-of-way, whether paved or unpaved, designed for surface drainage.

HISTORIC RESOURCES - all buildings, sites, structures, objects and districts that are shown on the East Coventry Township Historic Resources Map.

HYDRIC SOILS - a soil that formed under saturated conditions. See Appendix for list of hydric soils.

IMPERVIOUS SURFACE - areas that do not absorb water including, but not limited to, buildings, structures and impervious paved areas.

IMPROVEMENTS - physical additions, installations and/or changes to buildings, structures or land such as, but not limited to, grading, paving, roads, curbing, fire hydrants, water mains, sanitary sewers, capped sewers, storm sewers, storm drains, catch basins, culverts, sidewalks, monuments, crosswalks, bridges, earthworks, street lights, wells, sewage disposal systems, street trees, landscaped screens and other plantings and other manmade facilities that may be necessary, desirable or proposed in a subdivision or land development in order to render the land suitable for the use or uses intended.

IMPROVEMENTS, PUBLIC - improvements including, but not limited to, grading, paving, roads, curbing, fire hydrants, water mains, sanitary sewers and other surface drainage facilities, retaining walls, street signs, monuments or the like, which may be dedicated to the Township.

LAND DEVELOPMENT - any of the following activities:

SUBDIVISION AND LAND DEVELOPMENT

A. The improvement of one (1) lot.

B. The improvement of two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

(1) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot, or lots, regardless of the number of occupants, whether owners or renters; or

(2) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.

C. A subdivision of land.

D. Development in accordance with §503 (1.1) of the Pennsylvania Municipalities Planning Code.

Excluded from the definition of land development are: (a) the conversion of an existing single-family detached or single-family semidetached dwelling into no more than three (3) dwelling units provided that such dwelling units are not intended to be a condominium, and (b) the addition of an accessory building, including farm buildings, on a lot or lots, subordinate to an existing principal building.

LANDOWNER - the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person, having a proprietary interest in land.

LANDSCAPE SCREEN - the use of plant material, walls, fencing or earthen berms, or combinations thereof, to: (i) aid in the concealment of such features as parking and loading areas; (ii) to provide privacy and/or protection between two (2) incompatible land uses; or, (iii) to provide a visual or sound barrier. Where a wall, fence or berm is employed, such structures shall be not less than five (5) feet in height. Plant material shall consist of evergreen and deciduous trees and/or shrubs not less than eight (8) feet in initial height and not less than eight (8) feet in width (unless a greater width is otherwise required by this Chapter). No less than fifty percent (50%) of the plants shall be evergreen mixed throughout the length of such screen, so arranged or placed as to divert attention (at initial planting) from or obstruct, when viewed six (6) feet from the ground surface, at least eighty-five percent (85%) of an otherwise clear view of an objectionable or incompatible use or activity during all seasons of the year.

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit in accordance with this Chapter, the Zoning Ordinance [Chapter 27] and/or other applicable law.

LOT AREA - the area of land contained within the property lines of a lot as described in the deed or as shown on an approved subdivision plan. For the purpose of calculating the minimum lot area necessary to comply with the area and bulk requirements, the following areas shall be excluded from such calculation:

A. Any area (i) within a street ultimate right-of-way; or (ii) within any other ultimate right-of-way, whether public or private, that provides, or is intended to provide, access to more than one (1) lot by way of vehicular and/or pedestrian circulation.

B. Any area, easement or right-of-way to be used for emergency access.

C. Any existing easements or rights-of-way for gas, oil, natural gas, electric or communications transmission facilities, whether below or above grade, that do not exclusively serve the lot.

D. Any area comprising a stormwater management basin or drainage easement.

E. For any lot for which the minimum required lot area is one (1) acre or less: all areas overlain by the Floodplain Conservation District, all areas of prohibitive slope, all areas of seasonally high water table soils and all areas delineated as wetlands.

F. For any lot for which the minimum required lot area is in excess of one (1) acre; that portion or those portions of the lot in which the following features individually or cumulatively represent greater than twenty percent (20%) of the gross area of the lot: all areas overlain by the Floodplain Conservation District, all areas of the prohibitive slope, all areas of seasonally high water table soils and all areas delineated as wetlands.

LOT, CORNER - a lot at the junction of, and abutting on two (2) or more streets, or at the point of abrupt change in direction of a single street. Both yards adjacent to streets shall be considered front yards. One remaining yard shall be a side yard and one shall be a rear yard.

LOT COVERAGE - the ratio or percentage of the total ground floor area of all buildings on a lot to the area of the lot on which they are located.

LOT DEPTH - the distance along a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line.

LOT, DOUBLE FRONTAGE - a lot extending between and having frontage on two (2) streets.

LOT, INTERIOR - a pre-existing lot or lot approved to provide relief, having limited frontage on a public or private road, where such frontage is intended primarily to provide access to the lot. The strip of land used for access shall be a fee simple part of the lot. An interior lot shall include, without limitation, a flag lot.

SUBDIVISION AND LAND DEVELOPMENT

LOT LINE - a property boundary line of any lot held in single and separate ownership, except that, in the case of any lot abutting a street, the lot line for such portion of the lot as abuts such street shall be deemed to be the same as the street line, and shall not be the centerline of the street or any other line within the street lines even though such may be the property boundary.

LOT, REVERSE FRONTAGE - a lot extending between and having frontage on an existing or proposed arterial, collector or local street and a local street and with vehicular access solely from the latter.

LOT WIDTH - the horizontal distance between the side lot lines of a lot (or in the case of a corner lot, between the side lot line and the opposite front lot line of the lot) measured at and along the building setback line. The measurement of lot width at and along the building setback line shall be as provided in and by the definition herein of "building setback line."

LUMEN - a unit used to express the light output of a lamp or fixture. The number of lumens striking a square foot of area determines the footcandle level (lumens per square foot).

LUMINAIRE - a complete lighting unit consisting of a lamp(s) together with the parts required to distribute the light, position and protect the lamp and to connect the lamp to a power supply. Used synonymously with the term "fixture."

MAP, OFFICIAL - a map, legally adopted by the Board of Supervisors, showing (a) officially dedicated, ordained, opened or planned streets, existing and proposed watercourses and public grounds, including widenings, narrowings, extensions, diminutions and openings or closings thereof, (b) existing public parks and other public properties, and those proposed for acquisition by the Township by condemnation, purchase, dedication or otherwise, (c) pedestrian ways and easements, (d) railroad and transit rights-of-way and easements, (e) flood control basins, floodways and floodplains, stormwater management areas and drainage easements, and (f) support facilities, easements and other properties held by the Township and other public agencies.

MARKER - an iron pipe or pin of at least one-half ($\frac{1}{2}$) inch diameter and at least thirty-six (36) inches in length embedded into the ground.

MOBILE/MANUFACTURED HOME - a transportable, single-family dwelling, intended for permanent occupancy contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, including any addition or accessory structure, such as porches, sheds, decks or additional rooms. For floodplain management purposes, the term "mobile home" includes "manufactured home" and also includes "park trailer," "travel trailer" and other similar vehicles placed on a site for more than one hundred eighty (180) consecutive days. For flood insurance purposes, the term "manufactured home" does not include "park trailer," "travel trailer" and other similar vehicles.

MOBILE/MANUFACTURED HOME LOT - a parcel of land in a mobile home/manufactured park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile/manufactured home.

MOBILE/MANUFACTURED HOME PARK - a parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile/manufactured home lots for the placement thereon of mobile/manufactured homes.

MONUMENT - a permanent concrete monument with a flat top at least four inches in diameter or square, and at least thirty-six (36) inches in length, embedded into the ground and to the top of which is permanently affixed a reference mark (indented cross or drill hole). The monument shall be tapered so that the dimensions at the bottom are at least two inches greater than the top, to minimize movement caused by frost.

NEW CONSTRUCTION - structures, including any subsequent improvements to such structures for which the start of construction commenced on or after November 2, 1981, the date of adoption of the floodplain management regulations of the Township of East Coventry.

OFFICIAL SEWAGE FACILITIES PLAN - the Act 537 Plan, including all revisions thereto, for the provision of adequate sewage systems adopted by the Township and submitted to and approved by the Pennsylvania Department of Environmental Protection as provided in and by the Pennsylvania Sewage Facilities Act and the regulations of the Pennsylvania Department of Environmental Protection promulgated thereunder.

ONE HUNDRED YEAR FLOODPLAIN (100-YEAR FLOODPLAIN) - a flood that, on average, is likely to occur once every one hundred (100) years, i.e. that has a one percent (1%) chance of occurring each year, although the flood may occur in any year.

PEDESTRIAN WAY - a paved or non-paved surface designed to provide for the movement and circulation of pedestrians and/or bicyclists; including sidewalks, walkways, paths and trails.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE - the Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended by the Act of December 21, 1988, P.L. 1329, No. 170, 53 P.S. §10101 et seq., and any subsequent amendments thereto.

PENNSYLVANIA SEWAGE FACILITIES ACT - the Act of January 24, 1966, P.L. (1965) 1535, No. 537, as amended, 35 P.S. Section 750.1 et seq.

PERSON - any individual, firm, trust, condominium, partnership, joint venture, unincorporated association, business association or corporation, whether public or private or other legal entity cognizable at law.

PLAN, "AS-BUILT" - see §605 of this Chapter.

PLAN, FINAL - see §305 of this Chapter.

SUBDIVISION AND LAND DEVELOPMENT

PLAN, CONSTRUCTION IMPROVEMENT - see §306(2) of this Chapter.

PLAN, LAND DEVELOPMENT - a plan depicting all aspects of a particular land development as required herein, including all exhibits, drawings, cross-sections, profiles and descriptive text to the degree of detail specified herein and sufficient to portray the full intent of a developer.

PLAN, PRELIMINARY - see §304 of this Chapter.

PLAN, PROFILE - a plan prepared by an engineer or surveyor registered in the Commonwealth of Pennsylvania showing the vertical section of the existing and proposed grade along the centerline of any proposed street and any street appurtenances to be constructed or installed, which must include a typical cross-section of the street construction and the grades of all street right-of-way lines and curb lines; part of the required submission of the improvement construction plan in accordance with §306(2)(E) of this Chapter.

PLAN, RECORD - the copy of the final plan which contains the original endorsements of the Chester County Planning Commission and the Township and which is intended to be recorded with the Chester County Recorder of Deeds.

PLAN, SKETCH - see §303 of this Chapter.

PLANNER, TOWNSHIP - a person duly designated by the Board to perform the duties of planner as herein specified.

PLANNING COMMISSION - the East Coventry Township Planning Commission, Chester County, Pennsylvania.

PLANTING STRIP - a strip of land lying between; (a) the curb line, or edge of the paving of a street, and (b) the sidewalk, or edge of parking lot paving.

PUBLIC HEARING - a formal meeting held pursuant to public notice by the Board of Supervisors or the Planning Commission intended to inform and obtain public comment, prior to taking action, in accordance with this Chapter and Act 247.

PUBLIC IMPROVEMENTS - those facilities that are designed for and available to the public, which may be offered for dedication including, but not limited to, streets, storm drainage facilities, sidewalks and utilities.

PUBLIC MEETING - a forum held pursuant to notice under 65 Pa.C.S., Chapter 7, known as the "Sunshine Act."

PUBLIC NOTICE - notice of a hearing published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notices shall state the time and place of any hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days, and the second publication shall not be less than seven (7) days, prior to the date of the hearing.

RECREATION, ACTIVE - those recreational pursuits that require physical alteration to the area in which they are performed. Such areas are intensively used and include, but are not limited to, playgrounds, ball courts and swimming pools.

RECREATION, PASSIVE - recreational pursuits that can be carried out with little alteration or disruption in the area in which they are performed. Such uses include, but are not limited to, hiking, biking and picnicking.

RECREATIONAL VEHICLE - a vehicle that is: (a) built on a single chassis, (b) four hundred (400) square feet or less when measured at the largest horizontal projection, (c) designed to be self-propelled or towable by a light duty truck or car and (d) designed primarily as temporary living quarters for recreational, camping, travel or seasonal use and not for continued occupancy or use as a permanent dwelling. For the purposes of this Chapter, the term "recreational vehicle" shall also include a boat or other watercraft.

REGULATORY FLOOD ELEVATION - the one hundred year flood (100 year flood) elevation plus a freeboard safety factor of one and one-half (1½) feet.

RESERVE STRIP - a parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties or from another street.

RESUBDIVISION - any replatting or resubdivision of land, limited to changes in lot lines on approved final plan or recorded plan as specified in this Chapter. Other replattings shall be considered as constituting a new subdivision of land. See also "subdivision."

RETENTION BASIN - a reservoir, formed from soil or other material, designed to permanently retain stormwater runoff from a specified amount of stormwater runoff as defined by this Chapter, to detain temporarily additional stormwater runoff and/or to retain perennial or intermittent surface water flow from permanent or intermittent streams. Retention basins always contain water and include manmade ponds and lakes.

REVIEW - See §§303, 304, and 305 of this Chapter.

RIGHT-OF-WAY - the total width of any land reserved or dedicated as a street, alley, sidewalk or crosswalk, or for any other purpose.

ROAD - see "street."

SCREEN (SCREENING) - see "landscaped screen."

SEASONALLY HIGH WATER TABLE SOILS - those soils in which the groundwater surface is one (1) foot or less from the ground surface at certain or all times of the year. By name, these soils are: Bowmanville (Bo), Chewacla (Ch), Croton (CrA, CrB), Glenville (GnA, GnB, GnB2), Readington (RdA, RdB, RdB2), Rowland (Ro, Rp), Wehadkee (We), and Worsham (WoA, WoB, WoB2).

SEDIMENT - the silt or small soil particles held or carried in suspension by water.

SENSITIVE ENVIRONMENTAL FEATURES - natural features that perform a beneficial function such as reducing erosion or which, if disturbed, may cause hazards or stress to life and property such as steep slopes. For the purposes of this Chapter, sensitive environmental features include, but are not limited to, the following: (a) slopes in excess of fifteen percent (15%), (b) soils classified as highly erodible, subject to erosion or as having a high water table, (c) wetlands, (d) hydric soil areas, (e) mature stands of native vegetation, (f) aquifer recharge and discharge areas, (g) floodplains and (h) lands incapable of meeting percolation requirements for onsite sewage disposal systems.

SEPTIC TANK - a covered water-tight settling tank in which raw sewage is changed into solid, liquid and gaseous states to facilitate further treatment and final disposal.

SEVEN (7) DAY, TEN (10) YEAR LOW FLOW (Q_{7-10}) - the annual minimum mean discharge of a watercourse for seven (7) consecutive days having a recurrence interval of ten (10) years. Where the period of record is not of sufficient length, other methods such as correlation may be used. All methods and references are described in Water Resources Bulletin No. 1, Pennsylvania Stream Flow Characteristics, Low Flow Frequency and Flow Duration, (1966), United States Department of the Interior, Geologic Survey, Harrisburg Pennsylvania.

SEWAGE FACILITIES -

COMMUNITY SANITARY SEWAGE COLLECTION, TREATMENT AND/OR DISPOSAL SYSTEM - a sanitary sewage system in which sewage is carried from two (2) or more individual dischargers by a system of pipes to one (1) or more privately owned and/or maintained common treatment and disposal facilities, approved by the Chester County Health Department and the Pennsylvania Department of Environmental Protection. Treatment and disposal may occur either onsite or offsite.

INDIVIDUAL, ONSITE SANITARY SEWAGE DISPOSAL SYSTEM - the disposal of sewage by use of septic tanks, or other safe and healthful means, approved by the Chester County Health Department, within the confines of the lot on which the use is located.

PUBLIC SEWAGE SYSTEM - offsite system for the treatment and disposal of sewage in which sewage is conveyed by interceptor to a publicly operated treatment plant and disposed of through means approved by the Pennsylvania Department of Environmental Protection.

SEWER CONNECTION - the sewer connection consists of all pipes, fittings and appurtenances from the drain outlet of a building to the inlet of the corresponding sewer riser pipe.

SEWER RISER PIPE - the sewer riser pipe is that portion of the sewer lateral that extends vertically to the ground elevation and terminates at each building in a mobile/manufactured home park, such pipe to be vented and trapped.

SHADE TREES - a tree intended to provide shade along streets and pedestrian ways, and in parking lots and other places and installed only as provided in this Chapter.

SIGHT DISTANCE - for the purposes of this Chapter, the definition shall be as in the Pennsylvania Code, Title 67, Transportation, Chapter 441.1, as most recently amended.

SITE - a lot, tract or parcel of land on which grading, construction or land development is taking place, or is proposed to take place; the location of the work.

SITE ANALYSIS - an analysis of the natural features on a site intended to promote a site design that is sensitive to the unique natural features of the landscape. The site analysis shall accompany the sketch plan, preliminary plan and final plan.

SOIL PERCOLATION TEST - a field test conducted to determine the suitability of the soil for onsite sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

SPECIMEN PLANT - a unique, rare or otherwise specifically selected plant or tree which most typically represents a class or group in terms of shape, form, historical importance or other characteristics which may be designated as such by the Township.

STEEP SLOPE - those areas of the Township that are characterized by a change in elevation of fifteen percent (15%) to twenty-five percent (25%) are designated precautionary slopes, and greater than twenty-five percent (25%) are designated prohibitive slopes, over a distance or contour defined by the Township Zoning Ordinance [Chapter 27].

STORMWATER - any precipitation, but usually rainfall, which is sufficient to flow on any natural or impervious surface; frequently termed "runoff."

STREET - a strip of land, including the entire ultimate right-of-way thereof, publicly owned, dedicated and accepted for public use, or privately owned, abutting and furnishing access to more than one (1) lot, primarily serving, or intended to serve, as a means of vehicular and pedestrian travel, and which may also be used to provide space for sewer, other utilities and sidewalks. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, roadway, highway, lane, alley, service street, marginal access street, road or similar terms. The following categories of streets are defined as follows:

ARTERIAL - a major street or highway with high vehicular speeds or high traffic volumes of considerable continuity and used primarily as a traffic artery between rural and urban areas. Arterial streets may be either principle arterials or minor arterials. Principle arterials serve major centers of activity and carry the highest proportions of area travel and most of the trips entering and leaving the Township, thus serving intra-area travel. Minor arterials interconnect with and augment the principle arterial system distributing travel to smaller

centers of activity and allowing for more access to adjoining properties than principle arterials.

COLLECTOR - a major street which carries traffic from local streets to arterial streets. Collector streets may be either major collectors or minor collectors. Major collectors may provide access to centers of activity, connect with principle arterials and allow for more access to adjoining properties than minor collectors. Minor collectors serve more to collect traffic from local streets and provide access to the smallest of activity centers.

LOCAL - every public or private street used for access to abutting properties. Local streets may be primary distributor roadways, secondary distributor roadways or local access streets. A primary distributor roadway is the highest order local street which moves traffic from lower order local streets to collector and arterial streets. A secondary distributor roadway is the middle order local street which carries traffic from local access streets to primary distributor roadways. A local access street is the lowest order local street which serves no through function and provides the greatest degree of access.

STREET, CENTER LINE OF - the line that is equidistant from both sides of the street.

STREET, COMMERCIAL - a street used primarily as the means of access to abutting commercial or industrial properties.

STREET, EYEBROW - a street section that is offset from a principal or primary street by a landscaped island and provides access to abutting properties.

STREET, IMPROVED - a street wherein paving and other required improvements exist in accordance with the Township standards specified in this Chapter and any other Township ordinance or regulation.

STREET LINE - the dividing line between a lot and the outside boundary or right-of-way line of a public street, road or highway legally open or officially platted, or between a lot and a privately owned street, road or way over which the owners or tenants of two (2) or more lots, each held in single and separate ownership, have the right-of-way.

STREET, MARGINAL ACCESS - a street, parallel and adjacent to an arterial or collector street but separated from it by a reserve strip, that provides access to abutting properties and connection with the arterial or collector street at controlled intervals. A marginal access street serving residential uses shall be considered a residential street and when serving commercial or industrial uses shall be considered a commercial or an industrial street.

STREET, PARTIAL - any street that does meet the street standards of this Chapter.

STREET, PRIVATE - any street not offered or not required to be offered for dedication.

STREET, SERVICE - a street adjoining the rear lot line of a lot and providing vehicular access to the lot, commonly referred to as an alley.

STREET, SINGLE ACCESS - any street that has access to an existing public road and circulation system at only one (1) point. A single access street includes cul-de-sacs and loop roads. Cul-de-sac streets shall only be permitted when emergency access to an arterial, collector or local street is provided.

STREET, STUB - any street laid out in a subdivision or land development, intended for connection to a future street on adjoining property.

STREET TREE - deciduous hardwood trees, having a caliper of not less than two and one half (2½) inches, planted adjacent to and outside of a street right-of-way, such trees to be approved as to type by the Board of Supervisors.

STREET, UNIMPROVED - a street wherein paving and other required improvements do not exist in accordance with the Township standards specified in this Chapter and any other Township ordinance or regulation.

STRUCTURE - any manmade object having an ascertainable stationary location on or in land or water whether or not affixed to the land. Any form or arrangement of building materials involving the necessity of providing proper support, bracing, tying, anchoring or other protection against the forces of the elements.

SUBDIVISION - the division or redivision of a single lot, tract or parcel of land by any means, into two (2) or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines, for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership of building or lot development. The subdivisions by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwellings, shall be exempted from this definition.

SUBDIVISION, MAJOR - see §301(3)(B) of this Chapter.

SUBDIVISION, MINOR - see §301(3)(A) of this Chapter.

SUBGRADE - any finished surface or elevation of compacted fill or natural earth upon which materials of construction are placed.

SUBSOIL - clay, sand, gravel or other natural earth material below the surface soil and low in organic matter.

SUBSTANTIAL DAMAGE - damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT -

SUBDIVISION AND LAND DEVELOPMENT

A. Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the improvement.

B. Substantial improvement includes any repair, restoration or other improvement to structures that have incurred substantial damage regardless of the actual repair, restoration or other improvement work performed.

C. Substantial improvement however does not include either:

(1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications that have been identified by the local code enforcement official and which project is the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided that the alteration does not preclude the continued designation of the structure as a historic structure.

SUBSURFACE CONDITIONS - conditions below the ground surface that may affect the design of improvements and structures, including the cut slope stability and foundation stability of soils and rock types, location and extent of faults and the groundwater quality and quantity.

SURVEYOR - a licensed surveyor registered by the Commonwealth of Pennsylvania.

TOPSOIL - natural and friable loam containing sufficient organic nitrogen, phosphorus and potassium to support plant growth and extending in depth to the extent of penetration of feeder roots of the prevailing native grasses.

TOWNSHIP - the Township of East Coventry, Chester County, Pennsylvania.

TRACT - one (1) or more lots assembled and presented as a single property for purposes of subdivision or land development.

TURNAROUND - a paved circle or square terminating a cul-de-sac.

USE - any purpose for which a building or other structure or tract of land may be designed, arranged, intended, maintained or occupied, or any activity or occupation carried on, or intended to be carried on, in a building or other structure or a tract of land.

UTILITIES - sanitary sewer lines, water lines, fire hydrants, street lights, storm sewer lines, manholes, inlets, catch basins, gas lines, electric lines, telephone lines, cable television lines and other facilities of the same general character.

VEGETATION, PERMANENT - perennial grasses, legumes or other long-lived plant materials, such as crown vetch, fescues, etc., and bluegrasses, depending upon the degree of refinement desired.

VEGETATION, TEMPORARY - fast growing grasses, usually annuals, such as rye, oats, sudan or other appropriate cover to prevent erosion until permanent vegetation can be installed.

VIEWSHED - a view of the surrounding landscape available to be seen from any particular point or location in the Township.

WATERCOURSE - a permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water, carrying or holding surface water, whether natural or manmade.

WATER SUPPLY -

CENTRAL WATER SUPPLY SYSTEM - a system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on site and/or offsite. A central system can be further described as either of the following:

(1) Public Water Supply System - a system that is owned by a municipality, a public company, or a private company and which serves more than a single community or subdivision and may be interconnected with other water supply systems.

(2) Community Water Supply System - a system that is owned by a municipality, a public company, or a private company which serves a single community or subdivision, is not interconnected with any other water supply system and meets the standards found in 35 P.S., §721.3 for at least twenty-six (26) homes.

INDIVIDUAL SYSTEM - a safe, healthful and adequate supply of water to a single user from a private well or spring located on the land of the user.

WATER TABLE - the upper surface of a zone of saturation except where that surface is formed by an impermeable body.

WETLANDS - areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

WETLANDS MARGIN - a three hundred (300) foot border surrounding a wetland, measured from the boundary of the wetland as delineated according to the procedures contained in Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

WOODLAND - an ecosystem characterized by a more or less dense and extensive tree cover. More particularly, a plant community consisting

SUBDIVISION AND LAND DEVELOPMENT

predominantly of healthy trees and other woody vegetation, well stocked and growing more or less closely together.

YARD - an open, unoccupied space on the same lot with a building or other structure or use, open and unobstructed from the ground to the sky, except for permitted signs and fences.

YARD, FRONT - a yard extending the full width of the lot along the front lot line and extending in depth from the front lot line to the nearest point of any structure on the lot. See "lot, corner."

YARD, REAR - a yard extending the full width of the lot along the rear lot line and extending in depth from the rear lot line to the nearest point of any structure on the lot.

YARD, SIDE - a yard extending in depth on the lot along a side lot line from the front yard to the rear yard, and extending in width on the lot from such side lot line to the nearest point of any structure on the lot.

ZONING ORDINANCE - the East Coventry Township Zoning Ordinance as codified in Chapter 27 of the East Coventry Township Code of Ordinances.

(Ord. 128, 7/19/2004, §201)

Part 3

Plan Processing and Content

§301. Plan Classification and Public Notification. [Ord. 133]

1. It is the intention of the Board of Supervisors in enacting these procedures to provide the applicant with a timely and comprehensive review of plans submitted for subdivision and/or land development. To this end, the following classifications of plans are established as hereinafter provided:

- A. Sketch Plans.
- B. Preliminary Plans.
- C. Final Plans.

2. Where literal application of plan processing procedures established by this Chapter would create undue hardship or be plainly unreasonable in their opinion, the Planning Commission may recommend in writing to the Supervisors such reasonable exceptions as will not be contrary to the public interest, subject to §704 this Chapter.

3. All subdivision applications shall be classified for the purposes of procedure, as either minor or major. Applicants shall apply for and secure approval in accordance with the following procedures:

A. Minor Subdivision Plan.

(1) A subdivision plan may be classified as a minor subdivision where all of the following circumstances apply:

(a) No street, either public or private, or any improvement, intended to be dedicated to the Township, is to be constructed.

(b) No land disturbance activities will take place except those that are incidental to construction of a single-family dwelling on a single lot.

(c) No more than two (2) lots are proposed.

(d) Further subdivision cannot occur by virtue of insufficient size to permit additional subdivision within the resulting lots.

(2) The purpose of the plan is to provide a lot line adjustment and no development is proposed.

(3) A subdivision wherein the minimum size of all resulting lots exceeds twenty-five (25) acres.

B. Major Subdivision Plan or Land Development Plan.

(1) All subdivision plans not classified as minor subdivision plans, as defined above, and all land development proposals shall be processed under this category.

(2) The plan content, submission and approval procedures provided by this Part shall apply to all major subdivision and land development proposals.

SUBDIVISION AND LAND DEVELOPMENT

4. In the case where subdivision or land development does not propose the development of the entire parcel, the Board of Supervisors may require the submission of a sketch plan indicating how the remainder of the tract will be used in the future.

5. Public Notification.

A. The filing of a sketch plan for a major land development plan with East Coventry Township, as determined by requirements of this Part, shall require the applicant to notify surrounding property owners by mail of the action. In the case of major land development plan applications, the applicant shall also be required to place a sign of notice on the subject premises. The sign(s) shall be erected within ten (10) calendar days of the filing of an application with the Township. This requirement is supplemental to any other notice requirements required by this Chapter. The Township shall require the applicant to notify surrounding property owners of subsequent meetings or hearings following the initial meeting.

B. The mailed notice to nearby property owners shall occur at least fourteen (14) consecutive calendar days before the public meeting of the Planning Commission when the plan will be first reviewed. Notice shall be by first class mail, return receipt requested, and the applicant shall provide the Township with documentation of the mailings prior to the public meeting. Mailed notices shall be required for the following plan types and relevant properties:

(1) Major Subdivision or Land Development Plan: All properties within five hundred (500) feet of the application site.

(2) Non-residential Development Plan: All properties within one thousand (1,000) feet of the application site.

C. The mailed notice shall contain a narrative statement describing the proposed development and include, at a minimum, the name and address of the applicant, the parcel number(s) and description of the application site, and the number and type of residences and/or buildings being proposed.

D. For purposes of the mailing notice requirement, distances shall be measured from the nearest part of the application site to any portion of an affected parcel to be notified.

E. The applicant for any preliminary plan shall place a sign(s) on the application site providing notice of a public meeting for the application. The sign(s) shall be located so as to be in clear view of passers-by and adjacent to the right(s)-of-way. If the application site is bordered by more than one (1) public street, a public notice sign shall be placed adjacent to each right-of-way, but in no case shall more than two (2) signs be required. The sign(s) shall be erected within ten (10) calendar days of the filing of an application with the Township. The applicant shall be required to apply for a sign permit from the Township for all signs and the Township Permit Officer shall determine the sign location. Requirements for the public notice sign(s) shall be as follows:

(1) Location. The posted sign(s) shall be placed in a conspicuous location, as close to, but outside, the right-of-way as practical, parallel to the street, and clearly visible to the

public. The Township may allow the posting of only one (1) sign on corner lots of less than four (4) acres. In no case shall a sign be placed so as to interfere with driver visibility or vehicular safety.

(2) Size. The posted sign(s) shall be single-faced and shall measure four (4) feet by four (4) feet with a yellow background with two (2) inch black lettering in sans serif typeface. The top of sign when installed shall be no more than seven (7) feet from the ground under it.

(3) Plan Information. The sign(s) shall include a site plan which depicts the lot configuration of residential applications or building footprint with square footage, paving and landscaping in the case of non-residential applications. The applicant's name and phone number, the name of the plan, the application number, and the tax parcel number(s) shall be prominently displayed. The internet address of the Township (www.eastcoventrypa.gov) shall be provided at the bottom of the sign(s). The applicant shall be responsible for cleaning or replacing, within ten (10) days of notification, any sign that has been defaced, becomes illegible, or is removed. The sign(s) shall remain in place until final action is taken on the application by the Township.

(4) Proof of Posting. The applicant shall provide the Township with photographic proof of posting and a signed affidavit prior to the public meeting. Failure of any such posted notice to remain in place after the notice has been posted shall not be deemed a failure to comply with these standards or be grounds to challenge the validity of any decision made on the application unless the notice was removed by the applicant or at his or her direction.

(5) Removal of Posted Sign. The applicant shall remove the posted sign(s) not later than ten (10) calendar days after final action is taken on the application by the Township.

[Ord. 133]

(Ord. 128, 7/19/2004, §300; as amended by Ord. 133, 5/16/2005, §1)

§302. Review by Chester County and Other Agencies.

1. Chester County Planning Commission. The applicant shall supply one (1) copy of all sketch plans, preliminary plans and final plans, and all supporting information, including the sewage facilities planning module, to the Township for submission to the Chester County Planning Commission for their review.

2. Chester County Health Department. The applicant shall supply two (2) copies of the preliminary plan and sewage facilities planning module to the Township for submission to the Chester County Health Department for review of matters relating to requirements for public water and sewer systems and/or to the adequacy of the site to sustain onsite water and/or sewage disposal systems.

3. Chester County Conservation District. One (1) copy of the final plan shall be provided for submission to the Chester County Conservation

SUBDIVISION AND LAND DEVELOPMENT

District for review of stormwater and soil erosion management.

4. Other Agencies. The applicant shall submit additional copies of plans as may be required by the Planning Commission or Board of Supervisors for review by County, State, Federal or other reviewing or regulatory agencies, the fire company, police department, water company and the authority for sanitary sewage disposal in the Township.

(Ord. 128, 7/19/2004, §301)

§303. Sketch Plan Submission, Resubmission, Review and Content.

1. Complete Submission.

A. All applicants for a major subdivision or land development are required to submit a sketch plan to the Township Planning Commission for review.

(1) The sketch plan procedures are enacted to afford the applicant the opportunity to submit information for review and

[Text continued on p. 157]

discussion with the Planning Commission and various County agencies before engaging in the detailed engineering design required for the preparation of preliminary and final plans.

(2) A completed official application form, available from the Township and submission of a sketch plan shall constitute formal filing of a plan with the Township.

(3) It shall be the objective of the Planning Commission to receive comments from the review agencies outlined below, correlate the comments submitted and reply to the applicant within ninety (90) consecutive calendar days of the acceptance, by the Planning Commission, of the complete application and sketch plan at the first regularly scheduled meeting for which such plan has been placed on the agenda for review. (See the Plan Processing Schedule in the Appendix).

(4) The sketch plan shall be submitted at least fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Township Planning Commission in order to be placed on the agenda for that meeting.

(5) All revisions to sketch plans shall be submitted to the Township for review by the Township Engineer and the Township planner no less than fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting.

B. Copies of sketch plans for a major subdivision or land development, as further described in this section shall be supplied to the Township to permit the following distribution:

(1) Two (2) copies for the Township.

(2) One (1) copy for submission to the Chester County Planning Commission.

(3) One (1) copy for submission to the Township Engineer, one (1) copy for submission to the Township Planner and one (1) copy for submission to the Township Traffic Engineer.

(4) Five (5) copies to the Planning Commission.

(5) Five (5) copies to the Board of Supervisors.

C. For all major subdivision and land development plans, payment of required application fees and escrow deposits as determined by resolution of the Board. The Township shall note the date of the receipt of the application, fees and any escrow deposits. The application shall not be deemed a complete application until the required fees have been provided.

D. All sketch plans, as further described in this Section, together with a completed official application, available from the

Township, shall be submitted to the Township Planning Commission at least fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting. The Planning Commission shall, at such meeting, determine if a complete application and sketch plan has been presented, and if so, shall accept such application and sketch plan and thereby initiate the ninety (90) day review period, as provided in subsection (2) below. The Planning Commission shall acknowledge such acceptance in the minutes of the Planning Commission meeting.

2. Review. The sketch plan shall be reviewed by the Planning Commission at the next regularly scheduled meeting and shall also be reviewed by the Township Engineer and Township Planner, and the Chester County Planning Commission and such other agencies as deemed appropriate by the Planning Commission. The procedure is outlined below and in the Plan Processing Schedule (see Appendix).

A. Official Review Period.

(1) The Township shall have ninety (90) consecutive calendar days in which to review and take action on the sketch plan (see the Plan Processing Schedule in the Appendix)

(2) The ninety (90) consecutive calendar day period shall commence on the date of the regularly scheduled Planning Commission meeting that a complete application and sketch plan is accepted by the Planning Commission, as provided in subsection (1)(D) above.

(3) An extension of the ninety (90) consecutive calendar day review period shall occur only when agreed to in writing by the applicant and accepted by the Township. All such extensions granted shall be for a minimum of ninety (90) consecutive calendar days.

B. Review by the Township Engineer and Township Planner. The Township Engineer will review the plan with particular emphasis on site feasibility, including consideration of onsite sewage disposal, where indicated, slopes and drainage, access and conformance to Township planning documents. The Township Engineer shall submit his written comments to the Planning Commission within twenty-one (21) consecutive calendar days, or seven (7) consecutive calendar days prior to the next meeting after acceptance by the Planning Commission, of the complete application and sketch plan.

(1) The Township Planner will review the plan with particular emphasis on the feasibility of the site to accommodate the proposed site design in terms of the site's environmental conditions including natural and cultural resources, ingress and egress, parking and the functional and aesthetic relationship of the proposed development to adjoining properties and uses and its consistency, as applicable, with the Township Comprehensive Plan and other planning documents of the Township. The Township Planner shall submit his written comments to the Planning Commission within twenty-one (21) consecutive calendar days, or seven (7) consecutive

calendar days prior to the next meeting after the acceptance, by the Planning Commission, of the complete application and sketch plan.

C. Review by the Township Planning Commission.

(1) The Planning Commission shall review the sketch plan at the next regularly scheduled meeting and the applicant or designated representative may be present to provide informal dialogue with the Planning Commission.

(2) The Planning Commission shall consider, but not be limited to, the suitability of the sketch plan for the development of the land and its relationship to the extension of streets, access points, arrangement and density of proposed use, the compatibility of the proposal with the objectives and recommendations of the Township Comprehensive Plan and consistency with the Township Zoning Ordinance [Chapter 27]. In its examination of the plan, at least one (1) member of the Planning Commission and/or its designated agent or liaison, may visit the site. The Planning Commission should submit its written comments to the Board within sixty-three (63) consecutive calendar days after acceptance of the complete application and sketch plan by the Planning Commission at the first regularly scheduled meeting for which such application and sketch plan have been placed on the agenda for review.

D. After receipt of written comments of the Planning Commission, Township Engineer, Township Planner and the Chester County agencies, and any other agencies deemed to have an interest, the Board shall advise the applicant, within ninety (90) consecutive calendar days from acceptance, by the Planning Commission, of the complete application and sketch plan, of the extent to which the proposed major subdivision or land development conforms to the requirements of existing ordinances. The Board will also advise the applicant as to possible plan modifications necessary to secure conformance.

3. Content.

A. To facilitate the fullest possible response from the Planning Commission, the applicant shall incorporate the following items in the sketch plan.

(1) Name and address of the owner/applicant.

(2) Name of subdivision or land development.

(3) Name and address of the applicant's engineer, surveyor, planner, architect, landscape architect or site designer responsible for preparing the plan.

(4) Written and graphic scale; not greater than 1" = 200 feet.

- (5) The title: "Sketch Plan."
- (6) Approximate tract boundaries.
- (7) North arrow.
- (8) Location map.
- (9) Streets on and adjacent to the tract, and adjacent parcels (both existing and proposed).
- (10) Significant topographical and physical features, including contours (maximum two (2) foot intervals), soil types, steep slopes (over 25%), locations of ponds, streams and flood plains (on and within two hundred (200) feet of the tract), wetlands, wooded areas, hedgerows and other significant vegetation, existing structures and existing rights of way and easements.
- (11) Schematic layout indicating a general concept for land conservation and development (diagram format is acceptable for this delineation as part of the four-step design process described in §304(3)(G) of this Chapter).
- (12) Zoning district and requirements and a statement as to the degree to which the plan meets those requirements.
- (13) Proposed open space and/or recreation areas, and proposed management and ownership of such.
- (14) In the case of land development plans, proposed general layout, including building locations, parking lots and open spaces.
- (15) All waivers being requested by the applicant shall be clearly stated on the first sheet of the sketch plan with the reasons for such waiver request and the Chapter section number from which such waiver is being requested. If no waivers are requested, the note "No Waivers are Requested" shall be placed on the first sheet of the sketch plan.

B. Site Analysis. For all subdivisions (except those in which all proposed residential lots are more than ten (10) acres in area), a site analysis shall be prepared to provide the applicant and the Township with a comprehensive analysis of existing conditions, both on the proposed development site and within five hundred (500) feet of the site. Conditions beyond the site boundaries may be described on the basis of existing published data available from the Township, other governmental agencies, and from aerial photographs. The map shall conform to the drafting standards of §304(3)(A) of this Chapter and shall provide the following information:

- (1) Topography, the contour lines of which shall be two (2) foot intervals. Ten (10) foot contour intervals (from U.S.G.S maps) are permissible to show the topography beyond the site boundaries. Slopes between fifteen (15) percent and twenty-five

(25) percent and those exceeding twenty-five (25) percent shall be clearly indicated. Topography for a major subdivision and land development shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official U.S.G.S. benchmarks.

(2) The location and delineation of ponds, streams and natural drainage courses, as well as the one hundred (100) year floodplains and wetlands as defined in the Zoning Ordinance [Chapter 27]. Additional areas of wetlands on the proposed development site shall also be indicated, as evident from testing, visual inspection or from the presence of wetland vegetation and soils.

(3) Alluvial soils, wherever they extend beyond the limits of the Floodplain District.

(4) Drainage basins and sub-basins.

(5) Vegetative cover conditions on the site according to general cover type indicating cultivated land, permanent grassland, old-field, hedgerow, woodland and wetland, individual trees with a caliper in excess of eight (8) inches and the actual canopy line of existing trees and woodlands. Vegetative types shall be described in terms of plant community, relative age and condition.

(6) High groundwater areas as identified by the location of soils with seasonal or perennial high water tables mapped in the U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Chester and Delaware Counties, Pennsylvania.

(7) Soil series, types and phases, as mapped in the U.S. Department of Agriculture, "Soil Conservation Service, Soil Survey of Chester and Delaware Counties," Pennsylvania and accompanying data for each soil relating to its suitability for construction (and in nonpublicly sewered areas, for septic suitability).

(8) Ridgelines and watershed boundaries.

(9) Viewsheds as delineated in the "East Coventry Township Open Space, Recreation and Environmental Resources Plan."

(10) Geologic formations and fault zones on the site shall be identified based upon available published information or more detailed data obtained by the applicant.

(11) The location and dimensions of all existing streets, roads, buildings, utilities and other manmade improvements.

(12) The location of all Township-mapped historically significant areas and structures on the site and on all adjoining tracts.

(13) The location of all trails that have been in public use (pedestrian, equestrian, bicycle, etc.).

(14) All easements and other encumbrances of the site that are or have been filed of record with the Recorder of Deeds of Chester County.

(15) All exceptional value streams and their tributaries.

(Ord. 128, 7/19/2004, §302)

§304. Preliminary Plan Submission, Resubmission, Review and Content.

1. Complete Submission

A. All preliminary plans submitted pursuant to this Chapter shall conform to the requirements of this Section.

B. All preliminary plans, as further described in this Section, together with a completed official application, available from the Township, shall be submitted, along with supporting information, to the Township at least fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting. The Planning Commission shall, at such meeting, determine if a complete application and preliminary plan has been presented, and if so, shall accept such application and preliminary plan and thereby initiate the ninety (90) day review period, as provided in §304(2). The Planning Commission shall acknowledge such acceptance in the minutes of the Planning Commission meeting.

C. The Planning Commission shall receive comments from reviewing agencies and individuals as provided in this Section, correlate the comments and submit its written report to the Board of Supervisors within sixty three (63) consecutive calendar days of its acceptance of the complete application and preliminary plan.

D. All revisions to preliminary plans shall be submitted to the Township for review by the Township Engineer, the Township Planner and the Township Traffic Engineer no less than fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting. Nine (9) copies of revised preliminary plans shall be submitted to the Township.

E. Copies of the application and the preliminary plan, and supporting information, as further described in this Section, shall be supplied to the Township to permit the following distribution:

(1) Two (2) copies of the preliminary plan and official Township application, all supporting information, including the Sewage Facilities Planning Module, and the required escrow and application fees to the Township.

(2) One (1) copies of the preliminary plan, County referral form, all supporting information, including the Sewage Facilities Planning Module, and accompanying fee to the County Planning Commission.

(3) Two (2) copies of the preliminary plan, two (2) completed Sewage Facilities Planning Modules and appropriate fee to the Chester County Health Department.

(4) One (1) copy each, of the preliminary plan, and supporting information and plans to the Township Engineer, the Township Planner and the Township Traffic Engineer.

(5) Five (5) copies of the preliminary plan, and supporting information and plans to the Township Planning Commission. The stormwater and traffic analyses shall be submitted as an executive summary only that shall include a description of the analysis and the final design and a statement of compliance with the stormwater management standards and compliance with the traffic standards and requirements of this and, as applicable, other Township ordinances.

(6) One (1) copy of the preliminary plan to any adjacent municipality or other governmental agency affected by the proposed development when requested by the Board of Supervisors or the Planning Commission.

F. When required, revised preliminary plans shall be submitted to the Township to permit the following distribution:

(1) Two (2) copies of the preliminary plan and only if revised two, (2) copies of all supporting information and the Sewage Facilities Planning Module to the Township.

(2) If revised, two (2) completed Sewage Facilities Planning Modules and plans to the Chester County Health Department.

(3) One (1) copy of the preliminary plan and only if revised one (1) copy of all supporting information to the Township Engineer.

(4) If revised, one (1) copy of the traffic analysis and plan to the Township Traffic Engineer.

(5) Five (5) copies to the Township Planning Commission.

G. The applicant shall furnish additional copies of preliminary plans and supporting information at the Township's request.

H. The Township shall note the date of the receipt of the application, and any fees and escrow deposits, as determined by resolution of the Board of Supervisors. The application shall not be processed until the required fees have been received.

2. Review. The preliminary plan shall be reviewed by the Planning Commission at the next regularly scheduled meeting and shall also be reviewed by the Township Engineer and Township Planner, the Chester County Planning Commission, the Chester County Health Department, and such other agencies as deemed appropriate by the Planning Commission. The procedure is outlined below and in the Plan Processing Schedule (see Appendix).

A. Official Review Period.

(1) The Township shall have ninety (90) consecutive calendar days in which to review and take action on the preliminary plan (See the Plan Processing Schedule in the Appendix.

(2) The ninety (90) consecutive calendar day period shall commence on the date of the regularly scheduled Planning Commission meeting that a complete application and preliminary plan is accepted by the Planning Commission, as provided in §304(1)(B).

(3) An extension of the ninety (90) consecutive calendar day review period shall occur only when agreed to in writing by the applicant and accepted by the Board of Supervisors. All such extensions granted shall be for a minimum of ninety (90) consecutive calendar days.

B. Review by the Township Engineer and Township Planner.

(1) The review by the Township Engineer shall include an examination of the content of the plans to be certain that all information required by this Chapter is presented in the plans submitted, and investigation of the plan to be certain that all other Township ordinances are complied with, an examination of the engineering and design feasibility of the various alternatives presented for the location, alignment and grade of streets, stormwater drainage, sanitary sewers and water supply. The Township Engineer shall confer with the applicant to the extent necessary to obtain conformity of the plan with these regulations and to comment upon the matters subject to his review. The Township Engineer shall forward his written comments on the plan to the Planning Commission within twenty-one (21) consecutive calendar days, or seven (7) consecutive calendar days prior to the next meeting after acceptance of the application and preliminary plan by the Planning Commission.

(2) The review by the Township Planner shall include an examination of the content of the plans to be certain that all information required by this Chapter is presented in the plans submitted, and investigation of the plan to be certain that all other Township ordinances and related design standards are complied with, an examination of the overall site design including parking and loading, landscaping and lighting, its functional and aesthetic relationship to adjoining properties and uses, its consistency, as applicable, with the Comprehensive Plan and other planning documents of the Township. The Township Planner shall confer with the applicant to the extent necessary to obtain conformity of the

plan with these regulations and to comment upon the matters subject to his review. The Township Planner shall forward his written comments on the plan to the Planning Commission within twenty-one (21) consecutive calendar days, or seven (7) consecutive calendar days prior to the next meeting after acceptance of the application and Preliminary Plan by the Planning Commission.

C. Review by the Township Planning Commission.

(1) The Township Planning Commission shall review all plans referred to it and shall consider any recommendations made by a County agency, the Township Engineer, the Township Planner and any other persons or agencies who shall have submitted comments with respect to any such application.

(2) In its review of the preliminary plan, the Planning Commission shall examine the plan with particular emphasis on determining the suitability of the plan for the development of land and its relationship to the harmonious extension of streets and utilities, arrangement and density of housing or other uses, and compatibility of the plan with the Township Comprehensive Plan and Township Zoning Ordinance [Chapter 27]. The Planning Commission shall also assess the adequacy of parking, surface and storm drainage, access and landscaping or other related design standards.

(3) After such review, the Planning Commission shall send written notice of its action and the reasons therefore, citing specific sections of the Chapter relied upon, along with the written comments of the Township Engineer, the Township Planner, the Chester County Planning Commission, and other agencies which have submitted comments, to the Board of Supervisors, with a copy to the Applicant, within five (5) consecutive calendar days of completion of the Planning Commission's review.

D. Review by the Board of Supervisors.

(1) When a written report has been sent to the Board of Supervisors by the Planning Commission such plan shall be placed on the Board's agenda for its review at its next regularly scheduled meeting.

(2) The Board shall, at one or more regular or special public meetings, review the plan, other supporting information, and the written comments of the Planning Commission, Township Engineer, the Township Planner, County Planning Commission and all other reviewing agencies, to determine conformity of the plan to the standards of this and any other applicable ordinance. The Board may specify conditions, changes, modifications, or additions to the Plan which the Board deems necessary and may make a decision to grant preliminary plan approval subject to such conditions, changes, modifications, or additions, citing appropriate Chapter provisions as described in §304(2)(D)(4). When a plan is not approved in terms as filed, the decision of the Board shall specify the defects found in the plan and describe the requirements which

have not been met and shall, in each case, cite the provision of the Chapter relied upon in the decision. If the Board approves the preliminary plan, the minutes of the meeting shall reflect such approval either with or without conditions.

(3) Notwithstanding the foregoing procedure, the Board shall render a decision on all preliminary plans within ninety (90) consecutive calendar days following the date that the application and preliminary plan was accepted by the Planning Commission. The decision of the Board shall be in writing and shall be communicated to the applicant by mail not later than fifteen (15) consecutive calendar days following the decision or by the end of the extension period.

(4) Whenever the approval of a preliminary plan is subject to conditions, the written action of the Board as prescribed herein shall specify each condition of approval, citing relevant Chapter provisions in each case, and require the applicant's written agreement to the conditions. Where the applicant's written concurrence is not received within the time allotted, the Board shall be deemed to have denied approval.

3. Content. A preliminary plan shall contain the following information and be prepared in accordance with the following minimum standards:

A. General Content.

(1) Name, address and telephone number of the applicant, or authorized agent and of the owner of record.

(2) Name of subdivision or land development or other identifying title.

(3) Name, address and telephone number of the registered engineer or surveyor responsible for preparing the plan. If a registered engineer, architect or landscape architect collaborated in the preparation of the plan, the name, address, telephone number and seal of such architect or landscape architect shall also appear. All preliminary plans must be accompanied by a boundary survey signed and sealed by a registered surveyor.

(4) Written and graphic scale, not greater than 1" = 200 feet.

(5) The title: "Preliminary Plan."

(6) North arrow.

(7) A location map for the purpose of locating the site to be subdivided or developed, at a scale of not less than two thousand (2,000) feet to the inch, showing the relation of the tract to adjoining property and to all streets and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided or developed.

(8) Streets on and adjacent to the tract (both existing and proposed).

(9) Zoning information, including applicable district, area, bulk and dimensional requirements, documentation for any variance or special exception that may have been granted, and any zoning boundaries that traverse or within two hundred (200) feet of the tract.

(10) All waivers granted to the applicant by the Board shall be clearly stated on the first sheet of the preliminary plan with the reasons for such waiver and the Chapter section from which such waiver has been granted. If, subsequent to the initial preliminary plan application, waivers or additional waivers are requested, the applicant shall be required to file a new preliminary plan application which shall be subject to a new ninety (90) day review period. The fee will be waived but the escrow shall be recharged.

(11) Original date of preparation and revision dates with concise descriptions of each revision.

(12) Total tract boundaries showing bearings and distances and along all existing rights of way within and adjacent to the tract prepared by a registered professional land surveyor.

(13) Total area of the tract in acres, to the nearest hundredth of an acre, and the acreage of the tract for both total and net lot area.

(14) The applicable front, side, and rear setbacks shall be shown on each lot, including the required setbacks from pipeline rights-of-way indicated in §423. The result is an indication of the building envelope, or that area where building is permitted.

(15) The names of all owners of all adjacent lands, the names of all proposed and existing subdivisions adjacent, and the locations and dimensions of any streets or right of way easements.

(16) The locations and dimensions of all existing streets, railroads, sewers and sewage systems, aqueducts, water mains and feeder lines, fire hydrants, gas, electric and oil transmission lines, water courses, sources of water supply, easements and other significant features within the property, or such driveways, intersections and utilities within one hundred (100) feet of any part of the property proposed to be developed or subdivided.

(17) The locations and dimensions of all historic resources, where known, trails and significant natural features including topography and areas of steep slope (see §304(3)(A)(24)), wetlands (see §304(3)(A)(18)), one hundred (100) year floodplains, swales, rock outcrops, vegetation and trees of eight (8) inches DBH, or greater, as indicated from the site analysis.

(18) The applicant shall obtain a wetlands survey performed by a firm competent to complete such surveys, prepared in accordance with Pennsylvania Department of Environmental Protection criteria and delineated according to the procedures contained in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. If no such lands exist on the tract for which the subdivision or land development is proposed, the plan must include a statement indicating so. Whenever the Township Planning Commission and/or either the Township Engineer or Township Planner have reasonable evidence that wetlands may be present or may extend beyond the boundaries shown, the Township may require a U.S. Army Corps of Engineers delineation that shall serve as final arbitration.

(19) Any proposed improvements requiring a permit from the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection shall be so indicated.

(20) In the case where individual onlot sewage disposal systems are proposed, percolation test pits shall be performed according to §421(11) as prescribed herein, and the exact locations of the test pits, probes and percolation holes for primary and replacement fields, if required by the Chester County Health Department, shall be indicated on the plan.

(21) In the case where an individual or community well is proposed to serve the subdivision or land development, the proposed location of the well and the one hundred (100) foot radius separation distance shall be indicated on the plan.

(22) The locations and widths of any streets or other public ways or places as shown upon an adopted local plan, if such plan exists for the area to be subdivided or developed.

(23) Locations of all existing structures on the tract, and distance thereof from lot lines.

(24) A contour line at vertical intervals of not more than two (2) feet for land with natural average slope of fifteen (15) percent or less and in intervals of not more than five (5) feet for land with average natural slope exceeding fifteen (15) percent. Actual field surveying or aerial photo interpretation shall be required when public improvements are proposed.

(25) Location and elevation of the datum to which contour elevations refer; the datum utilized shall be NGVD datum.

(26) Certification as to the accuracy of the plan and details of such plans shall be prepared in accordance with Act 367, known as the Professional Engineers Registration Law.

(27) All notations on the plan must be readable with a minimum font size of ten (10). Illegible notations will be considered incomplete data on the plan.

B. Drafting Standards.

(1) The plan shall be drawn on a scale of no greater than 1" = 50' unless the average size of the proposed lots is in excess of ten (10) acres, in which case, a scale of 1" = 100' may be used.

(2) Dimensions shall be set in feet, bearing in degrees, minutes and seconds, with errors of closure not to exceed one (1) part per twenty-five thousand (25,000).

(3) Each sheet shall be numbered and shall show its relationship to the total number of sheets.

(4) The plan shall bear an adequate legend to indicate clearly which features exist and which are proposed.

(5) The original drawing, and all submitted prints thereof, shall be made on sheets of twenty-four (24) by thirty-six (36) inches. In addition, one (1) reduced drawing, on a sheet size of 11 x 17 inches, shall be provided.

(6) If the preliminary plan requires more than one sheet, a master sheet at a scale not smaller than 1" = 400' showing the location of each section shall accompany the plan.

(7) If more than one scale is used in the plan, a key must be provided that indicates the difference in scale.

C. Site Context Map. A map showing the location of the proposed subdivision or land development within its neighborhood context shall be submitted. For sites under one hundred (100) acres in area, such maps shall be prepared at a scale not less than 1" = 200' and shall show the relationship of the subject site to natural and manmade features existing within one thousand (1,000) feet of the site. For sites of one hundred (100) acres or more in area, the scale shall be 1" = 400' and shall show the above relationships within two thousand (2,000) feet of the site. The features that shall be shown on the site context maps shall include topography (from U.S.G.S. maps), stream valleys, wetland complexes (from maps published by the U.S. Fish and Wildlife Service or the U.S.D.A. Natural Resources Conservation Service), woodlands over one-half (½) acre in area (from aerial photographs), ridge lines, public roads and trails, utility easements and rights of way, public land and land protected by conservation easements and hedgerows.

D. Preliminary Resource Impact and Conservation Plan.

(1) A Comprehensive Stormwater Management Plan shall be prepared in accordance with Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances, and to categorize the impacts of the proposed subdivision and land development on those resources identified in the site analysis (as required under §303(3)(B)). All proposed improvements, including, but not necessarily limited to grading, fill, streets, buildings, utilities and stormwater detention

facilities, as proposed in the other preliminary plan documents, shall be taken into account in preparing the Preliminary Resource Impact and Conservation Plan.

(2) Using the information from the site analysis, impact areas shall be mapped according to the following categories: (1) primary impact areas, i.e., areas directly impacted by the proposed subdivision, (2) secondary impact areas, i.e., areas in proximity to primary areas that may be impacted, and (3) designated protected areas, either to be included in a proposed Greenway or an equivalent designation such as dedication of a neighborhood park site.

(3) This requirement for all or part of the Preliminary Resource Impact and Conservation Plan may be waived by the Planning Commission if, in its judgment, the proposed development areas, as laid out in the sketch plan would be likely to cause no more than an insignificant impact upon the site's resources.

E. The preliminary plan shall be prepared in accordance with §304(3)(A) and also include, at a minimum, the following:

(1) Location and width of all streets and rights of way with a statement of any conditions governing their use, including distance to the nearest intersection.

(2) Existing and proposed street and utility easement locations, with dimensions.

(3) All proposed lot lines with dimensions and lot areas, both gross and net, indicating those limitations excluded in the lot area definition.

(4) All land used for utilities shall be on conforming lots, or on an easement on a conforming lot, and be eligible to be utilized as a legal conforming use.

(5) Building setback lines along each street and the side and rear yard limits.

(6) The first floor elevation of all structures, such first floor elevation to be a minimum of one (1) foot above the elevation of the final average grade.

(7) A statement of the intended use of all nonresidential lots and parcels; including draft documents for ownership and maintenance of such.

(8) Lot numbers, and a statement of the total number of lots and parcels.

(9) Sanitary and storm sewers, and other drainage facilities with the size and material of each indicated, and any proposed connections with existing facilities.

(10) Location and dimensions of proposed parks, playgrounds, trails and other open space areas to be dedicated or reserved for public use, with any conditions governing such use, ownership and maintenance.

(11) Limit of disturbance line.

(12) Typical street cross sections for all proposed streets including details relating to thickness, crowning and construction materials.

(13) If the land to be subdivided lies partially in or abuts another municipality, the applicant shall submit information concerning the location and conceptual design of streets, layout and size of lots and provisions of public improvements on land subject to his control within the adjoining municipality(s). The design of public improvements shall provide for a smooth, practical transition where specifications vary between East Coventry Township and the adjoining municipality(s). Evidence of approval of this information by appropriate officials of the adjoining municipality(s) shall also be submitted.

(14) Where the applicant proposes to install the improvements in phases, he shall submit with the preliminary plan, pursuant to §508(4)(v) of the Municipalities Planning Code, as amended, a delineation of the proposed sections and a schedule of the deadlines within which applications for final approval of each section are to be filed.

(15) The location of proposed shade trees, plus locations of existing vegetation to be retained.

(16) The location and dimensions of all emergency access drives, easements and other rights-of-way.

(17) All driveway profiles to demonstrate compliance with the slope, cartway connection and drainage requirements of the Township Driveway Ordinance [Chapter 21]. Dimensions between the driveway and property lines, and between structures and the driveway where appropriate, shall also be provided.

F. The preliminary plan shall be accompanied by the following supplementary data:

(1) A Comprehensive Stormwater Management Plan prepared in accordance with Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

(2) A Preliminary Landscaping, Screening and Buffering Plan prepared in accordance with §428 of this Chapter.

(3) A Preliminary Conservation Plan, in accordance with §306(1).

(4) A Preliminary Construction Improvements Plan in accordance with §306(2).

(5) All impact studies as required by §306(3).

G. All major subdivision preliminary plans in the R-1, Farm Residential and in the R-2 and R-3 Residential Districts shall include documentation of the following four-step design process in determining the layout of proposed Greenway lands, house sites, streets and lot lines:

(1) Step 1: Delineation of Greenway Lands. Proposed Greenway lands shall be designated using the site analysis and complying with the Resource Conservation and Greenway Delineation Standards of the Zoning Ordinance [Chapter 27]. The East Coventry Township Open Space, Recreation and Environmental Resources Plan shall also be referenced and considered. Primary conservation areas shall be delineated comprising floodplains, wetlands and slopes over twenty-five (25) percent. In delineating secondary conservation areas, the applicant shall prioritize natural and cultural resources on the site in terms of their highest to least suitability for inclusion in the proposed greenway, in consultation with the Planning Commission and utilizing the following list of resources to be conserved: mature woodlands, greenways and trails, river and stream corridors, prime farmland, specimen trees, hedgerows, trees and tree groups, wildlife habitats, historic sites and structures and scenic viewsheds. On the basis of those priorities and practical considerations given to the site's configuration, its context in relation to resource areas on adjoining and neighboring properties, and the applicant's subdivision objectives, secondary conservation areas shall be delineated to meet at least the minimum area percentage requirements for greenway lands. The boundaries as well as the types of resources included within the secondary conservation areas shall be clearly indicated. Calculations shall be provided indicating the applicant's compliance with the acreage requirements for greenway areas on the site.

(2) Step 2: Location of House Sites. Potential house sites shall be tentatively located using the proposed greenway lands as a base map as well as other relevant data from the site analysis, such as topography and soils. House sites should be generally located not closer than fifty (50) feet from primary conservation areas and twenty-five (25) feet from secondary conservation areas, taking into consideration the potential negative impacts of residential development on such areas as well as the potential positive benefits of such locations to provide attractive views and visual settings for residences.

(3) Step 3: Alignment of Streets and Trails. Upon designating the house sites, a street plan shall be designed to provide vehicular access to each house, complying with the standards in Part 4 herein and bearing a logical relationship to topographic conditions. Impacts of the street plan on proposed

greenway lands shall be minimized, particularly with respect to crossing environmentally sensitive areas such as wetlands and traversing slopes in excess of fifteen (15) percent. Street connections shall be encouraged to generally minimize the number of new cul-de-sacs to be maintained by East Coventry Township and to facilitate access to and from homes on different parts of the site and adjoining parcels.

(4) Step 4: Drawing in the Lot Lines. Upon completion of the preceding three steps, lot lines are drawn as required to delineate the boundaries of individual residential lots.

(5) Applicants shall submit four (4) separate sketch maps or one (1) composite map, at the option of the Planning Commission, indicating the findings of each step of the design process.

(Ord. 128, 7/19/2004, §303)

§305. Final Plan Submission, Resubmission, Review and Content.

1. Complete Submission.

A. Within twelve (12) months after approval of the preliminary plan, a final plan and all necessary supplementary data shall be submitted to the Township. If the applicant does not make a proper final plan application within twelve (12) months of the preliminary plan approval, the preliminary plan shall expire.

B. The final plan shall conform to the terms of approval of the preliminary plan and to the most recent administrative regulations adopted by the Board of Supervisors for such purposes.

C. The Board of Supervisors may permit submission of the final plan in sections or phases, each covering a reasonable portion of the entire proposed subdivision or land development as shown on the approved preliminary plan, but in no case shall include less than twenty-five (25) percent of the total lots or dwelling units or total floor area, as depicted on the approved preliminary plan.

D. All final plans, as further described in this Section, together with a completed official application, available from the Township, shall be submitted, along with supporting information, to the Township at least fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting. The Planning Commission shall, at such meeting, determine if a complete application and final plan has been presented, and if so, shall accept such application and final plan, and thereby initiate the ninety (90) day review period, as provided in §305(2). The Planning Commission shall acknowledge such acceptance in the minutes of the Planning Commission meeting.

E. The Planning Commission shall receive comments from reviewing agencies and individuals as provided in this Section, correlate the

comments and submit its written report to the Board of Supervisors within sixty three (63) consecutive calendar days of its acceptance of the complete application and final plan.

F. All revisions to final plans shall be submitted to the Township for review by the Township Engineer and the Township Planner no less than fourteen (14) consecutive calendar days prior to a regularly scheduled meeting of the Planning Commission in order to be placed on the agenda for that meeting. Nine (9) copies of revised final plans shall be submitted to the Township.

G. Copies of the application and the final plan and supporting information, as further described in this Section, shall be supplied to the Township to permit the following distribution:

(1) Two (2) copies of the final plan and official Township application, all supporting information, including the Sewage Facilities Planning Module and the required escrow and application fees to the Township.

(2) One (1) copy of the final plan, County referral form, and accompanying fee to the County Planning Commission.

(3) Two (2) copies of the final plan, two (2) completed Sewage Facilities Planning Modules and appropriate fee to the Chester County Health Department.

(4) One (1) copy of the final plan and supporting information and plans to the Township Engineer, one (1) copy of each to the Township Planner and one (1) copy to the Township Traffic Engineer.

(5) Five (5) copies of the final plan and supporting information and plans to the Township Planning Commission.

(6) One (1) copy of the final plan to any adjacent municipality or other governmental agency affected by the proposed development when requested by the Board of Supervisors or the Planning Commission.

H. When required, revised final plans shall be submitted to the Township to permit the following distribution:

(1) Two (2) copies of the final plan and only if revised two, (2) copies of all supporting information and the Sewage Facilities Planning Module to the Township.

(2) If revised, two (2) completed Sewage Facilities Planning Modules and plan to the Chester County Health Department.

(3) One (1) copy of the final plan and, only if revised, one (1) copy of all supporting information to the Township Engineer.

(4) If revised, one (1) copy of the traffic analysis and plan to the Township Traffic Engineer.

I. The applicant shall furnish additional copies of preliminary plans and supporting information at the Township's request.

J. The Township shall note the date of the receipt of the application, and any fees and escrow deposits, as determined by resolution of the Board of Supervisors. The application shall not be processed until the required fees have been received.

2. Review. The final plan shall be reviewed by the Planning Commission at the next regularly scheduled meeting and shall also be reviewed by the Township Engineer and Township Planner, the Chester County Planning Commission, the Chester County Conservation District, the Chester County Health Department and such other agencies as deemed appropriate by the Planning Commission. The procedure is outlined below and in the Plan Processing Schedule (see Appendix).

A. Official Review Period.

(1) The Township shall have ninety (90) consecutive calendar days in which to review and take action on the final plan (see the Plan Processing Schedule in the Appendix).

(2) The ninety (90) consecutive calendar day review period shall commence on the date of the regularly scheduled Planning Commission meeting that a complete application and final plan is accepted by the Planning Commission, as provided in §305(1)(D).

(3) An extension to the ninety (90) day review period shall occur only when agreed to in writing by the applicant and accepted by the Board of Supervisors. All such extensions shall be for a minimum of ninety (90) consecutive calendar days.

B. Review by the Township Engineer, Township Planner, the Authority or Other Entity, for Sanitary Sewage Disposal and the Authority or Other Entity, for Water Supply.

(1) The review by the Township Engineer shall include an examination of the content of the plans to be certain that all information and changes required by this Chapter and by the Board in its review of the preliminary plan are presented in the plans submitted, an investigation of the plan to be certain that all other Township ordinances are complied with, an examination of the engineering and design feasibility of the final designs presented for the location, alignment and grade of streets, stormwater drainage, sanitary sewers and water supply. The Township Engineer shall confer with the applicant to the extent necessary to obtain conformity of the plan with these regulations and to comment upon the matters subject to his review. The Township Engineer shall forward his written comments on the plan to the Planning Commission within twenty-one (21) consecutive calendar days, or seven (7) consecutive calendar days prior to the next meeting after acceptance of the application and final plan by the Planning Commission.

(2) The review by the Township Planner shall include an examination of the content of the plans to be certain that all information and changes required by this Chapter and by the Board in its review of the preliminary plan are presented in the plans submitted, an investigation of the plan to be certain that all other Township ordinances and related design standards are complied with, an examination of the overall site design including parking and loading, landscaping and lighting, its functional and aesthetic relationship to adjoining properties and uses, and its consistency, as applicable, with the Comprehensive Plan and other planning documents of the Township. The Township Planner shall confer with the applicant to the extent necessary to obtain conformity of the plan with these regulations and to comment upon matters subject to his review. The Township Planner shall forward his written comments on the plan to the Planning Commission within twenty-one (21) consecutive calendar days, or seven (7) consecutive calendar days prior to the next meeting after acceptance of the application and final plan by the Planning Commission.

(3) The Authority, or other entity, for Sanitary Sewage Disposal shall review the final design of sewerage facilities to determine compliance with standards established for acceptance of such systems by the Board. Final approval of plans by the authority for sanitary sewage disposal shall be a condition precedent to the Board's action on the final plan.

(4) The Authority, or other entity, for water supply shall review the final design of the water supply facilities to determine compliance with standards established for acceptance of such systems by the Board. final approval of plans by the authority for water supply shall be a condition precedent to the Board's action on the final plan.

C. Review by the Township Planning Commission.

(1) The Township Planning Commission shall review all plans referred to it and shall consider any recommendations made by a County agency, the Township Engineer, the Township Planner and any other persons or agencies who shall have submitted comments with respect to any such application.

(2) In its review of the final plan, the Planning Commission shall examine the plan with particular emphasis on determining the suitability of the plan for the development of land and its relationship to the harmonious extension of streets and utilities, arrangement and density of housing or other uses, and compatibility of the plan with the Township Comprehensive Plan and Township Zoning Ordinance [Chapter 27]. The Planning Commission shall also assess the adequacy of parking, surface and storm drainage, access and landscaping or other related design standards.

(3) After such review, the Planning Commission shall send written notice of its action and the reasons therefore, citing specific sections of the Chapter relied upon, along with the

written comments of the Township Engineer, the Township Planner, the Chester County Planning Commission, the authorities for water supply and sanitary sewage disposal and other agencies which have submitted comments, to the Board of Supervisors, with a copy to the applicant, within five (5) consecutive calendar days of completion of the Planning Commission's review.

D. Review by the Board of Supervisors.

(1) When a written report has been sent to the Board of Supervisors by the Planning Commission, such plan shall be placed on the Board's agenda for its review at its next regularly scheduled meeting.

(2) The Board shall, at one (1) or more regular or special public meetings, review the plan, other supporting information and the written comments of the Planning Commission, the Township Engineer, the Township Planner, County Planning Commission and all other reviewing agencies, to determine conformity of the plan to the standards of this and any other applicable ordinance. The Board may specify conditions, changes, modifications or additions to the plan which the Board deems necessary and may make a decision to grant final plan approval subject to such conditions, changes, modifications or additions, citing appropriate Chapter provisions as described in subsection (2)(d)(4) above. When a plan is not approved in terms as filed, the decision of the Board shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provision of the Chapter relied upon in the decision. If the Board approves the final plan, the minutes of the meeting shall reflect such approval either with or without conditions.

(3) Notwithstanding the foregoing procedure, the Board shall render a decision on all final plans within ninety (90) consecutive calendar days following the date that the application and final plan was accepted by the Planning Commission. The decision of the Board shall be in writing and shall be communicated to the applicant by mail not later than fifteen (15) consecutive calendar days following the decision or by the end of the extension period.

(4) Whenever the approval of a final plan is subject to conditions, the written action of the Board as prescribed herein shall specify each condition of approval, citing relevant Chapter provisions in each case, and require the applicant's written agreement to the conditions. Where the applicant's written concurrence is not received within the time allotted, the Board shall be deemed to have denied approval.

(5) Upon the Planning Commission's recommendation for approval of the final plan, the Board may request the applicant to prepare an estimate, subject to approval of the Township Engineer, of the cost of all public improvements to be dedicated to the Township. The estimate shall be prepared, and certified as

representing a fair and reasonable estimate of the cost, by a professional engineer licensed as such in Pennsylvania.

(6) The Board of Supervisors shall designate one (1) signed and recorded reproducible (Mylar®) copy and an electronic (AutoCAD®) copy of the final plan as the official copy. These copies shall include all corrections required by the Board of Supervisors. All copies shall be retained in the Township files.

(7) Copies of the final plan as approved, with the appropriate endorsement of the Board of Supervisors and the Township Engineer shall be distributed as follows:

(a) A minimum of four (4) copies to the applicant, three (3) of which shall be utilized in recording in accordance with §307 and one (1) copy to be returned to the Township after recording.

(b) One (1) copy to the County Planning Commission.

(c) One (1) signed and recorded copy to be retained in the Township files, together with one (1) copy of all supporting materials.

E. Every final plan approval, with the exception of minor subdivision plans, as defined under §301(3)(A), shall be subject to the following conditions:

(1) The applicant shall execute a Subdivision and Land Development Improvements Agreement in accordance with §309, agreeing with the Township to install all the improvements as required by this Chapter and all regulations adopted pursuant thereto.

(2) The applicant shall provide a performance guarantee in accordance with §310.

(3) The applicant agrees, if requested by the Board of Supervisors, and to the extent permitted by law, to tender a deed of dedication to the Township for such streets, any and all easements for sanitary sewers, water lines or storm sewers, and public improvements including street paving, sidewalks, shade trees, water mains, any fire hydrants, sanitary and storm sewers, as are required for the promotion of public welfare, after all said improvements are completed and such completion is certified as satisfactory by the Township Engineer. The Board shall require that the applicant supply a title insurance certificate from a reputable company before any property is accepted by the Township.

(4) Whenever the applicant is providing open space as part of the development, an easement in perpetuity restricting such open space from further subdivision or development shall be executed between the applicant and the Township, or an organization acceptable to the Township, and shall be for the benefit of the

Township or the lot purchasers in the subdivision or land development.

(5) The applicant shall have applied for all required permits from agencies having jurisdiction over ancillary development, such as Pennsylvania Departments of Transportation and Environmental Protection, Public Utility Commission and County Health Department.

F. Before acting upon any subdivision or land development plan, the Board of Supervisors may hold a public hearing thereon pursuant to public notice.

G. No plan which will require access onto a road under the jurisdiction of PennDOT shall be finally approved unless the plan contains a notice that a highway access permit is required pursuant to §420 of Act 428, known as the "State Highway Law," before access to a State road is permitted.

3. Content. final plans shall, under major proposals, conform in all important details to preliminary plans, including any conditions specified by the Board. A final plan shall consist of and be prepared in accordance with the following:

A. Drafting Standards.

(1) Subdivision or land development plans submitted for review for final approval shall be clear and legible black or blue on white prints of the drawings. Upon completion of review, and for signature by the Board, clear and legible reproducible (Mylar®) copies, and an electronic (AutoCAD 2000® or earlier version (.dxf format)) copy of all plans shall be submitted. The title sheet of the plans shall contain an area for signatures by the Board of Supervisors and Planning Commission.

(2) Final plans shall be made on sheets of twenty-four (24) inches by thirty-six (36) inches. Where necessary to avoid sheets larger than the maximum size prescribed above, final plans shall be drawn in two (2) or more sections, accompanied by a key diagram showing relative location of the sections. The scale shall not be less than one hundred (100) feet to the inch. All dimensions shall be shown in feet and hundredths of a foot. In addition, one (1) reduced drawing, on a sheet size of 11 x 17 inches, shall be provided.

B. Site Design and Layout Standards.

(1) All information required in §304(3)(A) and the following minimum data:

(a) The total tract boundary lines of the area being subdivided with accurate distances to one hundredth (1/100th) of a foot and bearings in degrees, minutes and seconds. These boundaries shall be balanced and closed with an error of closure not to exceed one (1) foot in twenty-five thousand

(25,000) feet, provided, however, that the boundary(s) adjoining additional unplatted land of the applicant are not required to be based upon field survey, and may be calculated. The monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

(b) All straight lot lines and chords and radii of curved lot lines, defined in feet and hundredths of a foot by distances, and in degrees, minutes and seconds either by magnetic bearings or by angles of deflection from other lot and street lines.

(c) Lot numbers, lot areas, both total and net area, in square feet and acres, indicating that the portion of the lot containing limitations excluded by the lot area definition, and a statement of the number of lots and parcels, together with street numbering as approved by the post office for each lot.

(d) A statement of the intended use of all nonresidential lots. A statement of restrictions of any type which exist as covenants in the deed(s) for all lots contained wholly or in part in the subdivision and, if covenants are recorded, including the deed book and page number.

(e) All proposed building (setback) and yard line requirements for each lot, or the proposed placement of each building and the proposed location of onsite water and sewer facilities.

(f) The location of all existing and proposed monuments.

(g) All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Easements or rights-of-way shall be specifically described on the plans. Legal descriptions and plot plans, including metes and bounds, shall be submitted for all easements with final plans to the Township for the Township Engineer to review. Upon request of the Board of Supervisors, such easements shall be recorded. Easements should be located in cooperation with the appropriate public utilities.

(h) Location, size, material used, invert elevation and percent of grade of all sanitary and storm sewers and location of all manholes, inlets and culverts. This data may be submitted as a separate plan.

(i) If the subdivision proposes a new street intersection with a State legislative route, the intersection permit number(s) shall be indicated for all such intersections.

(j) A certification of ownership, acknowledgment of plan and offer of dedication shall be affixed on the plan, and shall be duly acknowledged and signed by the owner(s) of the property and notarized.

(k) All waivers granted to the applicant by the Board of Supervisors, shall be clearly stated on the first sheet of the final plan with the reasons for such waiver and the Chapter section number from which such waiver has been granted.

(l) The street name, street number, cartway width and lines of all existing public streets and the name and location of all other roads within the property.

(m) The following data for the centerline of the cartway and both right-of-way lines of all recorded and proposed streets within and adjacent to the property:

(1) Courses and distances with length in feet and hundredths of a foot of all straight lines and of the radius and the arc of all curved lines with delta angles including curved lot lines, and bearings in degrees, minutes and seconds for all straight lines.

(2) The width in feet of the cartway, right-of-way and of the ultimate right-of-way, and (in degrees, minutes and seconds) of the delta angle of all curved lines, including curved lot lines.

(n) Certification as to the accuracy of the plan and details of such plans shall be prepared in accordance with Act 367, known as the Professional Engineers Registration Law.

(o) All notations on the plan must be readable with a minimum font size of ten (10). Illegible notations will be considered incomplete data on the plan.

(p) Prior to the preconstruction meeting, the developer and/or contractor shall provide a letter to the Township Manager indicating that all required permits have been received.

(2) The final plan shall be accompanied by the following supplementary data:

(a) A final Conservation Plan, prepared in accordance with §306(1).

(b) A final Comprehensive Stormwater Management Plan prepared in accordance with Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

(c) A final Construction Improvements Plan, in accordance with §306(2).

(d) A final Landscaping, Screening and Buffering Plan, prepared in accordance with §428.

(e) Homeowner's Association and/or easement documentation acceptable to the Township Board of Supervisors after review and comment by the Township Solicitor.

(Ord. 128, 7/19/2004, §304)

§306. Accompanying Data.

1. Conservation Plan. A Conservation Plan is required to accompany the preliminary and the final subdivision or land development plan. It shall be clearly and legibly drawn to the same scale as that of the preliminary and final plans.

A. Purpose. The purpose of the Conservation Plan is to identify plans and techniques to be incorporated into the development proposal that regulate the modification of natural terrain during the site development process to ensure that:

(1) The disturbance of the site does not result in damaging erosion and sedimentation control problems in order to protect the health, safety and welfare of the Township residents. These objectives will be pursued at the Township level in conjunction with State requirements for erosion and sedimentation control, as defined in the Department of Environmental Protection Chapter 102 regulations, as amended, and defined in the Erosion and Sediment Pollution Control Program Manual.

(2) The site design and preparation incorporates necessary steps to ensure the successful installation and long-term operation of erosion and sedimentation control and stormwater management facilities as defined in Chapter 9, Grading and Excavating, of the Township Code of Ordinances.

(3) The goals and objectives for the implementation of the East Coventry Park, Recreation and Open Space Plan, as amended, and regulated in §426 of this Chapter, are linked with other land development concerns.

(4) The disturbance and removal of topsoil is reduced and avoided as required by §425 of this Chapter.

(5) The natural features protection objectives of §429 are realized.

B. General Provisions. The following provisions shall be followed and incorporated into the development review and construction process.

(1) The applicant shall prepare a soil erosion and sediment control plan in accordance with the provisions of this Section. All land disturbance activities shall be conducted in such a way as to minimize erosion on adjoining and downslope properties.

(a) The applicant undertaking land disturbance activity including, but not limited to, grading, excavating or disturbance of topsoil or vegetative cover, or introduction of fill material that may affect the existing flow of surface water within or down slope from the subject parcel, shall be required to:

1) Collect onsite runoff and manage its release to a point of discharge into a natural watercourse of the drainage area.

2) Protect and clean the downslope, and adjoining properties of silt and debris washed from the subject property as a result of land disturbance activities on the subject property.

3) Install all drainage and erosion control improvements as required by the approved soil erosion and sediment control plan.

(b) Measures to minimize soil erosion and sedimentation shall meet the standards and specifications contained in the Pennsylvania Department of Environmental Protection, "Soil Erosion and Sediment Pollution Control Manual," as amended and the Pennsylvania Clean Streams Law, Chapter 102, Erosion and Sedimentation Control Rules and Regulations, as amended and the specifications contained herein. The Township Engineer or other duly authorized agent shall ensure compliance with the appropriate specifications.

(2) The disturbed area and the duration of exposure shall be kept to a practical minimum and the disturbed soils shall be stabilized as quickly as practical.

(a) The permanent or temporary vegetation, erosion control and stormwater management structures and systems shall be installed within (20) days of the initial groundbreaking.

(b) If located adjacent to a stream within a watershed classified as high quality or exceptional value as designated by Pennsylvania Code 25, Chapter 93, Water Quality Standards, as amended, all graded surfaces shall be stabilized whether temporary or permanent, within three (3) days of the initial ground breaking and, weather permitting, shall be watered, tended and maintained until growth is well established.

(3) Whenever feasible, natural vegetation shall be retained, protected and supplemented.

(4) Sediment in the runoff water shall be trapped until the disturbed area is permanently stabilized by the use of measures such as debris basins, sediment basins, silt traps or similar measures. Accumulated sediment shall be kept removed to ensure continued adequate capacity in the basins or traps.

(5) A grading, excavation, erosion and sediment control plan shall be submitted with the preliminary and final plans. Such plan shall be submitted in accordance with the Pennsylvania Department of Environmental Protection, "Erosion and Sediment Pollution Control Manual," as amended, and the "Special Protection Waters Implementation Handbook," as amended, and in compliance with the most current review requirements of the Chester County Conservation District.

(a) When required by the most recent regulations of the Pennsylvania Department of Environmental Protection, development plans will be filed by the Conservation District with the Department of Environmental Protection for issuance of a National Pollutant Discharge Elimination System (N.P.D.E.S.) permit.

(b) Soil erosion and sediment control plans shall incorporate facilities for stormwater management in accordance with the policies and regulations of the Chester County Conservation District and the stormwater management plan required by Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

(c) Upon recommendation from the Township Engineer, the Township may require the submission of final plans, regardless of their size or other outside review requirements, to the Chester County Conservation District for review and approval. In such a case, approval by the Chester County Conservation District shall be required before final approval of a subdivision or land development, or the issuance of a building permit in the case of a minor subdivision.

(6) There shall be no increase in discharge of sediment or other solid material from the site as a result of runoff.

(7) Erosion and sedimentation control devices, such as temporary vegetation and mulch, temporary earthen berms, interceptor dikes, ditches, diversion terraces, rock filter berms, crushed stone tire scrubbers, silt basins, silt fences and the like, appropriate to the scale of operations, shall be installed concurrent with earthmoving activities and whenever any situation is created that would contribute to increased soil erosion.

(8) Earthmoving operations shall be minimized where possible and practicable to preserve desirable natural features and the topography of the site.

(9) Stripping of vegetation, regrading or other development shall be done in such a way that will minimize soil erosion.

(10) To the maximum extent practicable, mature, healthy trees of at least eight (8) inches in caliper and other significant existing vegetation shall be retained and protected. Such trees shall not be removed, except as provided on the approved subdivision and/or land development plan. The filling of soil more than five (5) inches over the roots of trees to be preserved is prohibited. (The roots are presumed to extend out from the tree as far as the tree's branches extend outward.)

(11) Land disturbance shall be limited to the actual construction site and an access strip. The amount of disturbed area and the duration of exposure shall be kept to a practical minimum. Disturbed areas shall be stabilized with vegetation, mulch, erosion control fabric, and the like, as soon as possible after earthmoving procedures.

(12) Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Water runoff shall be minimized and retained onsite wherever possible to facilitate groundwater recharge.

(13) Temporary vegetation and/or mulching shall be used to protect critical areas during development. (Critical areas shall be construed to mean those portions of a site which are extremely vulnerable to soil erosion).

(14) The permanent final vegetation and structural soil erosion control and drainage measures shall be installed as soon as practical in the development in accordance with the approved plans.

(15) Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris and sediment basins, silt fences or other approved measures. Sediment deposits in basins, silt fences, and the like, shall be removed at periodic intervals during the construction period, as required.

C. The following practices shall be required for all subdivisions and/or land developments, unless the Township determines that they are not applicable:

(1) Silt fences shall be utilized in lieu of straw-bale silt barriers downhill of all construction areas. In general, straw-bale silt barriers will be allowed only on projects with a construction period of less than sixty (60) days and where the uphill drainage area is less than one-half ($\frac{1}{2}$) acre. In all applications, silt fences and straw-bale silt barriers shall be securely anchored in place and embedded into the soil. Silt fences shall be installed on each subdivision lot down slope of the disturbed area prior to any lot disturbance.

(2) Silt fences or silt traps shall be placed at all inlets, headwalls, basin outlets and similar drainage structures during the construction period in order to prevent sediment from entering any watercourse, storm drainage system or other areas downstream.

(3) Temporary onlot berms designed to act as silt traps and to manage excess runoff, located to protect environmentally sensitive areas and downstream properties, shall be required during construction. The top width of the berms shall be a minimum of three (3) feet, with side slopes of a 3:1 maximum.

(4) Crushed stone tire scrubbers shall be placed at all entrances to construction areas. Tire scrubbers shall be of sufficient width and length to prevent transportation of sediment off of the construction site. Any dirt, stone or other debris left on roadways must be removed at the end of each workday.

(5) Temporary and permanent seeding and mulch specifications shall be noted on all plans. The specifications shall include lime and fertilizer rates of application, as well as other provisions regarding procedures and materials. The Township requires hydro-seeding of all graded areas associated with street construction and stormwater management basins within seven (7) days of final grading.

(6) During roadway grading, interceptor dikes shall be installed on all roadway subgrades with slopes in excess of five (5) percent to prevent erosion of the subgrades. The interceptor dikes shall divert stormwater runoff through silt traps or silt fences.

(7) The crushed stone base course for driveways, roadways and parking areas shall be applied as soon as possible after grading procedures, in order to prevent soil erosion of the subgrade.

(8) Drainage swales and ditches, and all slopes greater than four (4) to one (1) shall be protected against soil erosion velocities with soil erosion control measures, such as erosion control fabric and other material, as approved by the Township.

D. Plan Content. The Conservation Plan shall be prepared on the base plan for preliminary and final plans showing all of the existing conditions and those elements of a preliminary or final plan relating to grading, storm drainage, building and paving coverage proposed, and perimeter boundaries and the like which may affect the design of erosion control and stormwater management facilities. In addition the Conservation Plan will show:

(1) Locations of all soil classifications with special notation of seasonally high water table soils. Soils present on the site shall be tabulated according to hydrologic soil group.

(2) Location and results of soil percolation tests whenever onsite disposal of sewage is planned.

(3) Notations indicating: all trees or portions of tree masses containing two (2) or more trees of any size proposed to be cleared as part of the proposed Subdivision or Land Development Plan, together with reasons for such clearing; all proposed alterations of the natural grade, whether by cut or by fill, exceeding two (2) feet, together with reasons for such alteration; compliance with all applicable erosion and sedimentation control standards.

E. A required element of any Conservation Plan shall be a plan for the control of erosion and sedimentation and for stormwater management. Any preliminary and Final Conservation Plan for subdivision or land development must be accompanied by a stormwater management plan as provided for in Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances. Contents of the submitted plan shall reflect discussion by the applicant with the Township Engineer. The minimum components of the Conservation Plan are as follows:

- (1) A narrative summary of the project, including:
 - (a) General description of the project.
 - (b) General description of accelerated erosion control.
 - (c) General description of sedimentation control.
 - (d) General description of stormwater management, both during and after construction.
 - (e) Date project is to begin and expected date final stabilization will be completed.
- (2) Proposed alterations to the project area, including:
 - (a) Structures, roads, paved areas and buildings.
 - (b) Proposed stormwater control facilities.
 - (c) Finished contours including areas of cuts and fills.
 - (d) Changes to vegetative cover.
- (3) Calculations and description of the amount of runoff from the project area to swales, pipe discharge points, temporary and permanent basins, sediment traps, etc. Calculations shall be performed for both during and after development. Such calculations shall demonstrate that the capacity of the system to control erosion and to prevent sediment discharges is sufficient to control velocity and quantity of discharge to acceptable limits.
- (4) The staging of earthmoving activities, described in the narrative, including:

- (a) Cover removal, including all cuts and fills.
 - (b) Installation of erosion and sediment control facilities and practices.
 - (c) Installation of improvements, including streets, storm sewers, underground utilities, sewer and water lines, buildings, driveways, parking areas, recreational facilities and other structures.
 - (d) Program of operations to convert erosion and sedimentation controls to permanent stormwater management facilities, including a chart of the relative time sequence of activities.
- (5) Temporary control measures and facilities for use during earthmoving, in both map and narrative form, including:
- (a) Purpose.
 - (b) Temporary facilities or other soil stabilization measures to protect existing trees and shrubs from earthmoving activities.
 - (c) Types, locations and dimensioned details of erosion and sedimentation control measures and facilities.
 - (d) Design considerations and calculations of measures and facilities to control excess stormwater created by runoff from graded areas.
 - (e) Facilities to prevent tracking of mud by construction vehicles onto existing roadways.
- (6) A narrative description of the maintenance procedures for both temporary and permanent control facilities, and of ownership arrangements, including:
- (a) The methods and frequency for removal and ultimate disposal of sediment and other materials removed from control facilities, both during and upon completion of the project.
 - (b) The proposed ownership and financial responsibility for the maintenance of the permanent control facilities.

F. Standards for Grading, Excavation and Fill Requirements.

(1) No excavation or fill shall be made with an exposed face steeper in slope than three (3) horizontal to one (1) vertical, except under one or more of the following conditions:

- (a) The material in which the excavation or fill is to be made is sufficiently stable to sustain a slope

steeper than three (3) horizontal to one (1) vertical, and a written statement to that effect by a licensed professional engineer experienced in erosion control is submitted and approved by the Township Engineer. The statement shall certify that the site has been inspected and that the deviation from the slope specified will not result in injury to persons or damage to property of increased erosion and resulting sedimentation.

(b) When a retaining wall is to support the face of the excavation, retaining walls shall be reviewed and approved by the Township Engineer. Retaining walls greater than four (4) feet in height shall have a protective fence a minimum of four (4) feet in height.

(2) The Township Engineer may require a flatter slope when it is found that the material in which the excavation is to be made is unusually subject to erosion or if other conditions exist which make such a shallower slope necessary for stability and safety.

(3) The top or bottom edge of slopes shall be located at least five (5) feet from property lines, in order to permit a gradual rounding of the edge without encroaching onto the abutting property.

(4) Excavation shall not exceed below the angle of repose or natural slope of the soil under the nearest point of any footing or foundation or any existing building or structure unless such footing or foundation is first properly underpinned or protected against settlement.

(5) Grading shall not redirect or concentrate surface water onto an adjacent property.

(6) During grading operations, necessary measures for dust control to prevent particulate matter from becoming airborne shall be followed. These measures shall include, but not be limited to the following:

(a) A tire cleaning area shall be provided at each point of egress from the development areas.

(b) Use, where possible, of water or other method approved by the Township Engineer for control of dust during any land disturbance activity.

(c) Removal of earth or other material from paved streets at the end of each workday.

(7) Grading equipment shall not be allowed to cross permanent or intermittent streams without first obtaining appropriate permits from the Pennsylvania Department of Environmental Protection.

(8) No applicant shall engage in land disturbance activities that endanger any adjoining property, public street, sidewalk, alley or other property from settling, cracking or other damage that might result from such land disturbance. If in the opinion of the Township Engineer, the land disturbance would create a hazard to life or property unless adequately safeguarded, the applicant shall construct walls, fences, guardrails or other structures to safeguard the adjoining property, public street, sidewalk, alley or other property and persons.

(9) Excavation or fills shall not encroach on natural watercourses, floodplain areas, constructed channels or wetlands without the necessary State and Federal permits. Excavations or fills located adjacent to natural watercourses or constructed channels shall have suitable protection against erosion.

(10) All fill shall be compacted to provide stability of material and to prevent undesirable settlements. The fill shall be spread in a series of layers, not exceeding twelve (12) inches in thickness, and be compacted by a sheepsfoot roller or other approved method after each layer is spread. The Township Engineer may require compaction tests and reports.

(11) Adequate provisions shall be made to prevent surface waters from damaging the cut face of an excavation or the sloping surface or a fill within the area of a proposed subdivision or land development. Slopes of more than ten (10) feet in vertical height shall be separated by level berms of at least four (4) feet in width within which ditches shall be constructed where necessary to prevent erosion and as a safe place to deposit and receive such water. The Township Engineer may require such drainage structures or pipes to be constructed or installed which are perceived necessary to prevent erosion damage and to satisfactorily carry off surface waters.

G. Grading for Drainage.

(1) All lots, tracts or parcels shall be graded to provide property drainage away from buildings with a minimum slope of two (2) percent, and to dispose of water without ponding. All land within a development shall be graded to drain and dispose of surface water without ponding, except where ponding, as in the case of detention basins, is part of the stormwater management system for the proposed subdivision or land development.

(2) All drainage provisions shall be of such design to adequately handle the surface runoff and carry it to the nearest suitable outlet. Where drainage swales are used to direct surface waters away from buildings, they shall be sodded or planted as required.

H. Vegetative Cover.

(1) Removal of any portion of existing vegetation including, but not limited to, trees, tree masses and associated vegetation layers shall be done in such a manner as to minimize erosion and sedimentation. Existing vegetation shall be retained and protected, or replaced by an immediate cover, such as rye grass or other fast-growing cover material, acceptable to the Township, within thirty (30) days of disturbance.

(2) The appropriate measures, as defined in §428 shall be taken to protect existing trees, tree masses and associated vegetation.

I. Responsibility.

(1) Whenever sedimentation is caused by the removal of vegetation, regrading or other disturbance, it shall be the responsibility of the applicant causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his or her expense within a time period acceptable to the Township.

(2) No applicant shall block, impede the flow of, alter, construct any structure, or deposit any material or thing or commit any act that will affect normal flood flow in any stream or watercourse without having obtained prior approval from the Pennsylvania Department of Environmental Protection, and the Township.

(3) Where a subdivision or land development is traversed by a watercourse, a drainage easement or right-of-way shall be established along the line of such watercourse, and of adequate width to preserve natural drainage.

(4) All required drainage and erosion control improvements, whether temporary or permanent, shall be installed by the Applicant, at his expense, and in accordance with all applicable requirements.

J. Compliance with Regulations and Procedures.

(1) The Township, in considering preliminary Subdivision and Land Development Plans shall condition its approval upon the execution of soil erosion and sediment control measures as required by this Chapter.

(2) Each application shall contain a commitment to submit for approval, a modified soil erosion and sediment control plan should the proposed plan prove to be inadequate prior to final release of escrow and dedication of improvements.

2. Construction Improvements Plan. The Construction Improvements Plan shall contain sufficient information to provide working plans for the layout

and construction of proposed streets, utilities, stormwater retention structures and other improvements. Information shall include, but not be limited to, the following:

A. A statement describing proposed public improvements, including streets, curbs, sidewalks and the means of water supply and sewage disposal to be provided.

B. Water Supply and Sewage Facilities. All plans shall be accompanied by Planning Modules for Land Development, provided by the Pennsylvania Department of Environmental Protection, including information with regard to the means of sewage disposal and provision of water supply.

(1) Water Supply.

(a) Where offsite or central water service is proposed, the preliminary design of water distribution facilities including the size and location of water mains, fire hydrants, storage tanks, and when appropriate, wells or other water sources.

(b) Where individual onsite water service is proposed, approximate location of well sites.

(2) Sewage Facilities. Sufficient information shall be provided to determine if the proposed subdivision or land development meets the recommendation and intent of the Township Wastewater Facilities Plan.

(a) Where public sewer service is determined to be feasible and consistent with the sewage service area of the Act 537 Wastewater Facilities Plan, the preliminary design of sewage systems including, but not limited to, the location of sewers, pumping stations, sewer mains, and where applicable, sewage treatment plants, showing the size, capacity and location of treatment facilities.

(b) Where a community sewage system is proposed, plan information shall include the evaluation of alternative technologies in order of preference as outlined in Township Act 537 Wastewater Facilities Plan and the most preferred feasible alternative as agreed to by the Township, the Pennsylvania Department of Environmental Protection, and the applicant. The preliminary design of the proposed system shall also be included, showing the size, capacity and location of treatment facilities, and where applicable, wastewater reclamation/land application sites.

(c) Where individual onsite sewage facilities are proposed, the applicant shall submit a statement with regard to the suitability of the soil to absorb sewage wastes. Test pit and percolation test information shall be provided and the approximate location of the system shall be indicated.

Dimensioned horizontal isolation distances for treatment tanks and sewage absorption areas shall be provided as required by The Pennsylvania Department of Environmental Protection.

C. Horizontal plan for streets showing details of the horizontal layout including:

- (1) Centerline with bearings, distances, curve data and stations corresponding to the profile.
- (2) Right-of-way and curb lines with radii at intersections.
- (3) Tie-ins by courses and distances to intersections of all public roads, with their names and widths.
- (4) Location of all monuments and other boundary markers by bearing and distances.
- (5) Location and size of all drainage facilities, sidewalks, public utilities, fire hydrants, lighting standards and street name signs.

D. Horizontal Plan for Stormwater Management and Sanitary Sewer Facilities.

- (1) Location and size of line with stations corresponding to the profile.
- (2) Location of manholes or inlets with grade between and elevation of flow line and top of each manhole or inlet.
- (3) Location of laterals.
- (4) Location of other drainage facilities and public utilities in the vicinity of storm and/or sanitary sewer lines.
- (5) Hydraulic design data and calculations for storm sewers, inlets, culverts and bridge structures.

E. A profile plan, indicating final grades of streets, sanitary sewers, stormwater management facilities and the extent of cut and fill operations.

- (1) The profile plan shall show the vertical section of the existing grade and proposed grade along the centerline of the proposed street. Where storm drainage and/or sanitary sewer lines are to be installed, they shall also be indicated on the profile plan.
- (2) The horizontal scale on the profile plan shall not be less than one (1) inch equals one hundred (100) feet and the vertical scale shall not be less than one (1) inch equals five (5) feet or in cases where larger scales are used, the ratio shall be 1:10 vertical to horizontal.

(3) A typical cross section of street construction shall be shown on the profile plan and shall indicate the following:

(a) Right-of-way width and the location and width of paving within the right-of-way.

(b) Type, thickness and crown of paving.

(c) The location, width, type and thickness of curbs and sidewalks to be installed if any.

(d) Grading of sidewalk area.

(e) Typical location, size and depth of any underground utilities that are to be installed in the right-of-way where such information is available.

F. Detail sheet(s) providing sufficient details and notes to define the construction methods and materials of proposed improvements. Details shall include, but not be limited to:

(1) Details of all public sewer improvements as required and approved by the Sewer Authority.

(2) Details of all public water improvements as required and approved by municipal or private water companies.

(3) A cross section of each utility trench, showing proposed bedding and backfill material as well as the required compaction methods.

(4) Erosion and sediment control methods and materials.

(5) Stormwater management facilities.

(6) Details of all improvements required by the Pennsylvania Department of Transportation:

G. Landscaping, Screening and Buffering Plan. When applicable, a Landscaping, Screening and Buffering Plan consistent with the requirements of §428 shall be provided.

H. Outdoor Lighting Plan. When applicable, a Lighting Plan, consistent with the requirements of §427 shall be provided.

3. Impact Statements.

A. Applicability. The impact statements detailed in subsection (D) below shall be required for all preliminary plan applications for development when any of the following are proposed for a property:

(1) Residential development with a trip generation rate of sixty (60) AADT (annual average daily trips) as established by the

Trip Generation Manual prepared in the Institute of Transportation Engineers, as amended.

(2) Institution or retirement facility with a trip generation rate of sixty (60) AADT, as established in the Trip Generation Manual prepared by the Institute of Transportation Engineers, as amended.

(3) Industrial, commercial and/or office development having a trip generation rate of sixty (60) AADT or more, as established in the Trip Generation Manual prepared by the Institute of Transportation Engineers, as amended.

(4) Any project that will affect roads with a level of service at "D," "E," or "F," as determined by the Township at the time of submission.

(5) Any project that will affect roads as determined by the Township to have safety or design deficiency.

(6) Any project that will be developed in phases with a cumulative effect of falling within the required categories outlined above.

B. Applicability. The impact statements detailed in (D) (2), (3), (4), (5) and (6) below shall be required for all preliminary plan applications for development when any of the following are proposed for a property:

(1) Residential development of ten (10) or more dwelling units.

(2) Institution or retirement facility of ten (10) or more bedrooms or residential units.

(3) Industrial, commercial and/or office development in excess of twenty thousand (20,000) square feet of building area.

(4) The Environmental Impact Study detailed in subsection (D) (6) below will also be required if the proposed subdivision or land development has, within its boundaries, an area of more than ten (10) percent of any individual resource, or an area of more than twenty-five (25) percent of any combination of resources that are protected by the Natural Features Protection Standards enumerated and described in the East Coventry Township Zoning Ordinance [Chapter 27]. The natural features to be protected include flood plains, steep slopes as defined by the Zoning Ordinance [Chapter 27], and soils with seasonally high water tables. The ten (10) percent and twenty-five (25) percent area limitations, requiring the filing of the Environmental Impact Study, refer to any specific natural feature or the sum of all natural features to be protected collectively.

C. The Historic Resources Impact Study shall only be required as provided in subsection (3) (D) (5).

D. The Board shall consider the impact of the proposed use on the Township and on the facilities and systems as listed hereafter. When required by the Board, the applicant shall provide all of the information data and studies needed to allow the Board to reach conclusive evaluation of the areas set forth hereafter, which are applicable to the use proposed. The impact statement should be one written document. Necessary maps, charts, etc., should be labeled as consecutively numbered exhibits and properly referenced throughout the text of the written document. The statement should be written in a manner and style that clearly focuses on the information, data and analysis on the issues and objectives requested by the Board. The source of all data should be appropriately documented.

(1) Traffic Impact Study.

(a) Purpose. A traffic impact study shall be required for any development proposed pursuant to this section. Such study shall enable the Board of Supervisors to assess the likely impact of a proposed development in the various components of the transportation system in the Township.

(b) Professional Input. The applicant shall retain a qualified professional traffic engineer to prepare the traffic impact study. For purposes of this provision, a qualified traffic engineer shall be deemed any individual holding a degree from an accredited university in traffic engineering specialty, or any individual holding a university degree who also possesses membership in the Institute of Transportation Engineers, or any individual who conforms to the definition for a Municipal Traffic Engineer preferred in 67 PA Code Chapter 612, as amended, entitled "Municipal Traffic Engineering Certification."

(c) Study Area. A study area that represents the area likely to be affected (from a traffic impact standpoint) by the development shall be defined by a traffic engineer retained by the Township. Prior to identifying the study area, the traffic engineer shall discuss the study area boundaries, and the specific intersections to be included in the study, with the applicant and the Township. The Township Traffic Engineer shall present the scope of the study to the Township Planning Commission and the Board of Supervisors for approval prior to initiating work.

(d) Contents of Impact Study. A traffic impact study shall contain the following information:

1) General Site Description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed development. A brief description of other major

existing uses and approved recorded development plans shall be included as source data where agreed by the Township and the traffic engineer, that they may have a bearing on the development's likely traffic impact. The Township may, in addition, require consideration of development proposals not yet approved and recorded, but with sufficient status and probable impact to warrant inclusion.

2) **Transportation Facilities Description.** This description shall contain a full documentation of the proposed internal and external circulation system within the proposed study area. The description shall include: circulation; all proposed ingress and egress locations; all internal roadway widths and rights of way; existing and proposed parking conditions; traffic channelizations; any traffic signals or other intersection control devices at all intersections on the site boundaries. The description shall include all major elements of the existing roadway system within the study area. All major existing and proposed public transportation services and facilities within the study area shall also be documented. Future highway improvements, including proposed construction and traffic signalization, shall be noted.

3) **Existing Traffic Conditions.** Existing traffic conditions shall be documented for all major roadways and intersections established as part of the study area under §306(3)(D)(1)(C). Existing traffic volumes for average daily traffic, peak hour(s) traffic shall be recorded. Mechanical or manual traffic counts at major intersections in the study area shall be conducted encompassing the peak highway and development generated hour(s), and documentation regarding said traffic counts shall be included in the traffic engineer's report. A volume capacity analysis based on existing volumes shall be performed during the peak highway hour(s) for all roadways and major intersections within the study area. The capacity analysis shall be conducted according to methods of analysis accepted by the Pennsylvania Department of Transportation. The existing level of service associated with each major roadway and intersection evaluated shall be recorded. Data about the most recent available accident levels within the study area shall be included.

4) **Impact of Development on Area Circulation.** Estimates of vehicle trips to result from the proposed development shall be completed for the design-day peak highway hour(s) and peak development generated hour(s). In order to obtain vehicle trip generation base data, the traffic engineer shall consult either his firm's data bank or the most current edition of the Institute

of Transportation Engineers Trip Generation Report, or local data from the Township or, if available, more current or comprehensive sources. All turning movements associated with the proposed improvement generated hour(s) shall be computed and contained in the study. Traffic volumes generated by the proposed use shall be distributed and assigned to existing roadways and intersections throughout the study area for which existing conditions were recorded. Documentation of all assumptions used in the distribution and assignment of traffic shall be provided. Any characteristics of the site that are likely to cause particular traffic management problems shall be noted.

5) . Analysis of Traffic Impact. The Traffic Engineer shall identify the relationship of the site-generated traffic associated with the proposed development and overall demand. This demand shall consist of a combination of the existing traffic expanded to the completion year (using the annual traffic rate available from the Delaware Valley Regional Planning Commission), the development generated traffic, and the traffic generated by other proposed developments in the study area. When considering the proposed development, all future phases must be included to evaluate the total traffic impact of the development. He shall further identify the development's proportional relationship to the traffic system improvements that are likely to be required, in part, due to the development. The volume/capacity analysis performed in accordance with §306(3)(D)(1)(d)(3), above, shall be updated to include a volume/capacity analysis using the total future demand and future roadway capacity. The analysis shall be conducted on a design day during the peak highway hours(s) and on major intersections in the study area that are projected to be affected by the proposed development. All access points and pedestrian crossings shall be examined as to the need for and feasibility of installing traffic signals or other traffic control devices. To do this, the traffic engineer shall evaluate access points and pedestrian crossings pursuant to the Pennsylvania Department of Transportation specifications for traffic signal warrants.

6) Conclusions and Recommended Improvements. All roadways and/or intersections showing a level of service that is deemed deficient by the traffic engineer during peak hours of the day (peak hour defined to include peak hour of the day on the particular roadway and peak hour of traffic of development generated traffic) shall be identified. Specific recommendations for the elimination of traffic problems associated with the proposed development shall be identified. (Levels of service are defined in the 1985 Highway Capacity Manual, Highway

Research Board, National Academy of Sciences, Special Report 209, as updated.) A listing of recommended improvements shall include the following elements: internal circulation design; site access locations and design; improvements and widenings; traffic signal installation and operation, including signal timing; transit design improvements; and reduced intensities of uses. All physical roadway improvements shall be shown as a part of the report. The listing recommending improvements for vehicular, pedestrian/nonvehicular, and transit modes shall include, for each improvement, the party proposed to be responsible for the improvement, the cost and funding of the improvement (to the extent possible) and the completion date for the improvement (to the extent possible). In considering improvements related to phased development, the improvements related to each phase of development shall be, at a minimum, those required to eliminate traffic problems associated with that phase and no improvements shall be deferred which would have the effect of not eliminating identified traffic problems if the development were not completed. The Township, with the assistance of its own Traffic Engineer, shall review the methodology, assumptions, findings, and recommendations of the applicant's traffic engineer. The Board may impose upon the applicant additional improvements deemed necessary to accommodate impacts of the development.

(2) Utilities Impact Study. A study shall be prepared by a registered professional engineer, indicating the likely impact of the proposed development on existing sewer, water, groundwater, solid waste and drainage systems serving East Coventry Township. Said impact analysis shall identify the existing capacity of facilities that would serve the development, the prospects of those facilities being able to provide service to it, and any improvements that might be required as a direct result of the proposed development. Additionally, the study should identify the ability of sewer, water, solid waste and drainage systems to continue to provide efficient and economic service to existing residents and businesses within the Township considering added service requirements of the proposed development. The study shall indicate the alternatives that have been considered for sewage treatment and disposal, as well as measures to be initiated toward solid waste recycling, all utility systems, including stormwater management, and water conservation.

(3) Fiscal Impact Studies. In addition to the applicable development thresholds of subsections (3)(B), a fiscal impact analysis shall be prepared for all conditional use, special exceptions and proposed zoning changes identifying the likely impact of the development on the Township's tax structure and expenditure patterns. Included shall be a determination of the revenues to accrue to the

Township as a result of the proposed development, as well as an identification of the costs associated with delivering service to the proposed development. The fiscal impact analysis shall be prepared by a certified professional planner and shall consider the impact of the proposed development on the ability of the Township to deliver fire, police, administrative, public works and utility services. The Fiscal Impact Study shall be prepared in accordance with a methodology offered in The Fiscal Impact Handbook (Rutgers Center for Urban Policy Research, 1978, as modified from time to time), adapted as appropriate and to the Board's satisfaction. The "case study method" shall be utilized in reviewing methodologies with the applicant however the Board may authorize a different methodology if the applicant can demonstrate to the Board's satisfaction substantial advantages in results achieved and/or efficiencies realized. Particular aspects of the Township's service delivery capability to be analyzed shall include:

(a) Public Works. This includes potential effects on the maintenance, repair and upkeep of roads, signal systems, sewer, water and drainage systems, open space and recreation areas or any other applicable function of this department. This study shall address projected cost increases for the above mentioned items in terms of administration, personnel, equipment and materials.

(b) Administration. This includes time that would be required by the Board, Manager, Administrative Assistant and clerical personnel to process the application and handle the project during construction, as well as long-term administrative demands. This shall include, but not be limited to, the handling of plans, contracts, various legal instruments or agreements, permits, special problems, and escrow. Added demands on the code administration staff also shall be projected.

(c) Fire and Emergency Services. The analysis shall incorporate the development's impact on fire company capabilities including, but not limited to public water supply, pumping capacity, specialized equipment and training requirements.

(d) Police. The study shall project the overall effects of the proposed development on existing Township police personnel numbers, equipment, vehicles and working space. The plan shall include whatever facilities or assistance the development will provide to handle emergencies, criminal investigations, armed robbery or other security related problems.

(4) Well Withdrawal Impact Study. When required by §306(3)(B), a Well Withdrawal Impact Study shall be submitted by the applicant. The purpose of the Well Withdrawal Impact Study is

to evaluate the proposed Subdivision or Land Development's potential impacts on the quantity and quality of the groundwater and surface water resources of the Township and existing wells in the Township. The Well Withdrawal Impact Study shall be prepared by a professional hydrogeologist, who shall submit to the Township for approval, the scope of the analysis prior to initiation thereof. The Well Withdrawal Impact Study shall contain, at a minimum the following:

(a) A map indicating the property boundaries of the proposed subdivision or land development and all existing wells and surface water bodies located within the radius, specified in this subsection, of the water withdrawal points of the proposed subdivision or land development. Reference shall be made to two studies prepared by the Federation of Northern Chester County Municipalities; "Surface Water Runoff Study" (September 1991) and "Water Resources Management Study" (October, 1988). Hydrogeological data contained in these studies shall be included in the analysis.

(b) The proposed thirty (30) day average rate and maximum daily rate of withdrawal from each source and from all sources in total.

(c) A geologic map indicating the property boundaries of the proposed subdivision or land development, the location of the proposed water withdrawal point(s) and the radius, as specified in this subsection, of the proposed water withdrawal point(s).

(d) A hydrogeologic analysis of the well withdrawals (tests to be conducted concurrently at all wells where multiple wells are proposed for concurrent use) that includes, but is not limited to, the following:

1) A constant rate well test for a minimum of forty-eight (48) hours taken during a period of no recharge using the proposed maximum day withdrawal rate for each well. A peak-rate demand pump test may also be required. The water level against the elapsed time shall be recorded throughout the forty-eight (48) hour well test period and appropriately plotted. Additional information shall include:

a) Static, pumping and recovery water level measurements from all observed wells and perennial streams with a sufficient number of measurements taken to adequately characterize drawdown, recovery and stream flow.

b) Date and time of all water level measurements.

c) Record of pumping rate measured throughout the test.

2) Observations of water levels from any monitoring wells located on the subdivision or land development property.

3) Observations of water levels and pumping rate available from existing wells within the specified radius. The monitoring wells shall be representative of the entire area within the required radius. The radius from the location of the proposed water withdrawal point shall be as follows:

<u>Proposed 30 Day Average</u>	<u>Radius (Miles)</u>
<u>Withdrawal Rate (Gallons per Day)</u>	
2,000 - 10,000	0.40
10,000 - 50,000	0.50
50,001 - 100,000	0.75

4) Well log data for monitoring wells, if available, to identify significant water bearing zones. A significant water-bearing zone is one capable of providing at least ten (10) percent of the pump capacity rate.

5) Observations of perennial stream levels at points expected to be impacted by withdrawal.

6) An analysis of expected impacts on intended water source uses caused by continual withdrawals on existing wells, flows of perennial streams and long-term lowering of the groundwater levels.

7) Documentation, based upon historical water table measurements, of drought condition water table elevation approximating a fifty (50) year drought, if available.

8) All field notes and observations, including weather conditions throughout the well test.

9) All methods and/or sources used to obtain data and draw conclusions.

(e) The Well Withdrawal Impact Study shall also include an analysis of the potential for groundwater recharge on the site. A detailed geologic evaluation of the site shall be

performed and, at a minimum, shall address soil permeability, depth to bedrock, susceptibility to sinkhole formation and subgrade stability. Where a site is determined to be suitable for ground water recharge, the Applicant shall demonstrate that an average daily balance between the amount of groundwater withdrawn and the amount of groundwater recharged will be achieved. To the extent that the site is not suitable for groundwater recharge or a water balance is not achievable, the proposed density or intensity of the subdivision or land development shall be reduced consistent with attaining such water balance or a public water supply shall be utilized. All recharge techniques and/or facilities shall be designed in accordance with the "Pennsylvania Handbook of Best Management Practices for Developing Areas."

(f) In addition, any well or group of wells operating as a system that withdraw an average of more than ten thousand (10,000) gallons per day, over a thirty (30) day period, shall require a Delaware River Basin Commission, Groundwater Protected Area (DRBC, GPA) permit. A group of wells not operating as a system that withdraw an average of more than ten thousand (10,000) gallons per day, over a thirty (30) day period, may require a DRBC, Groundwater Protected Area (GPA) permit.

(g) The Township, with the assistance of the Township Engineer or designated consultant, shall review the methodology, assumptions, findings and recommendations of the applicant's hydrogeologist. The Board of Supervisors may impose additional improvements it deems necessary to accommodate the impacts of the proposed subdivision or land development.

(5) Historic Resources Impact Study.

(a) Applicability. A Historic Resources Impact Study, or any applicable portions thereof, may be required, unless waived or modified by the Board, when any of the following are proposed:

(1) Subdivision or land development plans which will lead to the new construction of buildings, structures, roads, driveways, parking areas, etc., located within one hundred (100) feet of the exterior walls of a historic resource.

(2) Subdivision or land development plans which propose adaptive reuse or demolition of a historic resource.

(3) General bridge or road construction or substantial repair passing within one hundred (100) feet of the exterior walls of a historic resource.

(b) The Board may require the applicant to submit the Historic Resources Impact Study as a subsection of an impact study required in this section, or as a separate document.

(c) The Historic Resource Impact Study shall be prepared by a qualified professional in historic preservation, historical architecture, planning or related disciplines, and presented by the applicant or his agent for discussion at a meeting of the East Coventry Historical Commission.

(d) Contents. The study shall contain the following information, as required by the Board:

1) Background Information:

a) If not otherwise provided by the applicant, a general site description, including topography, watercourses, vegetation, landscaping, existing drives, etc.

b) General description and classification of all historic resources located on the subject tract, on tracts immediately adjacent to the subject tract or road, or within one hundred (100) feet of the subject tract or road.

c) Physical description of all resources identified in subparagraph (d) (1) (b), above.

d) Statement of the significance of each historic resource, both relative to the Township and region in general.

e) Sufficient number of black and white 8" x 10" photographs to show every historic resource identified in subparagraph (d) (1) (b), above, in its setting.

f) Narrative description of the historical development of the subject tract or road.

2) Proposed Change.

a) General description of project, including timetable of phases.

b) Description of impact on each historic resource identified in subparagraph (d) (1) (b) above, with regard to architectural integrity, historic setting and future use.

c) General description of effect of noise and traffic and any other impacts generated by the proposed change on each historic resource.

3) Mitigation Measures. Recommendations for mitigating the project's impacts on historic resources, including design alternatives, landscaping, screening and buffering in accordance with §428, and any other appropriate measures permitted under the terms of this and other Township ordinances.

(e) East Coventry Historical Commission. The Historic Resource Impact Study will be reviewed by the East Coventry Historical Commission, which shall set forth its evaluation and recommendations in a written report to the Township Planning Commission and the Board of Supervisors.

(6) Environmental Impact Study.

(a) All applicants filing an Environmental Impact Study shall prepare such a report in accordance with the provisions of this Section.

(b) The format and contents of the Environmental Impact Study shall be as follows:

1) Description of Existing Conditions. This section shall present a description of existing characteristics of the property with respect to geology, topography, ground and surface water hydrology, soils, vegetation and existing improvements and uses.

2) Description of the Proposed Action. This section shall describe the proposed action including types, locations and phasing of proposed site disturbances and construction, as well as proposed future ownership and maintenance of the property and the proposed improvements. Plans describing the proposed action may either be included within or accompany the Environmental Impact Study.

3) Proposed Measures to Control Potential Adverse Environmental Impacts. This section shall describe all measures proposed by the applicant to control all adverse impacts that may occur as a result of the proposed action.

4) List and Qualifications of Authors. The names, addresses, telephone numbers and qualifications of persons directly responsible for preparing the Environmental Impact Study shall be provided.

5) Appendices. Any additional information that the applicant wishes to provide may be included in one (1) or more appendices to the report.

(c) Eight (8) copies of the Environmental Impact Study shall be a required part of the preliminary plan application.

The Township Engineer and Township Planner shall review the report and submit their findings in memorandums to the Board. A copy of the memorandums shall be forwarded to the applicant.

(Ord. 128, 7/19/2004, §305)

§307. Recording of Final Plan.

1. Upon completion of the procedures outlined under this Chapter, all endorsements shall be indicated on the record plan and on as many other copies of the final plan as may be desired.

2. Upon the signing of the of the final plan by the Board of Supervisors, the applicant shall file the record plan with the County Recorder of Deeds within ninety (90) days of the date of the final approval by the Township. The County Recorder of Deeds shall not accept any plan for recording unless such plan officially notes the approval of the Board of Supervisors and review by the County Planning Commission. If the applicant fails to record the final plan within such period, the action of the Township shall be null and void, unless an extension of time is granted in writing by the Township prior to the expiration of the ninety (90) day period upon written request by the applicant.

3. Where a major plan, as defined by this Chapter, is to be recorded, the documentation outlined under §310(4) shall also be recorded therewith.

(Ord. 128, 7/19/2004, §306)

§308. Resubdivision Plan Submission, Review and Content.

1. All resubdivision plan applications shall comply with the applicable final plan application, review and content requirements and procedures outlined under §§306(1), 306(2) and 306(3) of this Chapter. Where, in the determination of the Board of Supervisors, extraordinary conditions or circumstances exist, or the magnitude of the resubdivision meets or exceeds the threshold for the impact studies required under §307, the applicant shall be required to submit such impact studies.

2. In the resubdivision of land, the following shall be observed:

A. Parcels of land may be divided so long as they are made a part of adjoining land and no lot or tract of land results that is smaller than the minimum dimensions required by the Township Zoning Ordinance [Chapter 27].

B. Easements reserved for drainage shall not be changed.

C. No lot shall be created which does not abut a street.

D. The character of the area shall be maintained.

(Ord. 128, 7/19/2004, §307)

§309. Subdivision and Land Development Improvements Agreement. The applicant shall execute an agreement, to be approved by the Township, pending the review of the Township Solicitor, before the final plan is released by the Board of Supervisors and filed on record. Said agreement shall, as a minimum, specify the following, where applicable:

A. The applicant agrees that he will lay out and construct all streets and other public improvements, including grading, paving, sidewalks, fire hydrants, water mains, street signs, shade trees, storm and sanitary sewers, landscaping, traffic control devices, open space areas and erosion and sediment control measures in accordance with the final plan as approved, where any or all of these improvements are required as conditions of approval.

B. The applicant guarantees completion and maintenance of all improvements by means of a type of financial security acceptable to the Township, as specified in §310(3) of this Chapter.

C. The applicant agrees to execute a deed of dedication, that shall be prepared by the Township Solicitor, for such streets and for such easements for sanitary and storm sewers, sidewalks and other public improvements, provided that the Township shall not accept dedication of such improvements until their completion is certified as satisfactory to the Township Engineer and Township Solicitor.

D. Whenever an applicant proposes to establish or continue a street which is not offered for dedication to public use, the Board of Supervisors shall require the applicant to submit, and also to record with the plan, a copy of an agreement made with the Board on behalf of himself and his heirs and assigns, and signed by him, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate among other things:

(1) That an offer to dedicate the street shall be made only for the street as a whole.

(2) That the Township shall not be responsible for repairing or maintaining any undedicated streets.

(3) That the method of assessing repair and maintenance costs of the undedicated streets be stipulated and be set forth in recorded deed restrictions so as to be binding on all successors or assigns.

(4) That, if dedication is to be sought, the street shall conform to Township specifications or that the owners of the abutting lots shall, at their own expense, restore the streets to conformance with Township specifications.

(Ord. 128, 7/19/2004, §308)

§310. Performance Guarantees.

1. The applicant shall deposit with the Township, financial security in an amount sufficient to cover the cost of all improvements, both public and private, and common amenities including, but not limited to, streets, walkways, shade trees, stormwater detention facilities, recreational facilities, open space improvements, buffer or screen plantings, or other water supply facilities, fire hydrants, sanitary sewage disposal facilities. Financial security related to public sewers shall be provided to the Sewer Authority.

2. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Board; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

3. Financial security required herein shall be in the form of a Federal or Commonwealth chartered lending institution irrevocable letter of credit, a restrictive or escrow account in such institution, or with a financially responsible bonding company, or such other type of financial security which the Township may, in its reasonable discretion, approve. The bonding company may be chosen by the party posting the financial security, provided that the said bonding company or lending institution is authorized to conduct business within the Commonwealth and stipulates that it will submit to Pennsylvania jurisdiction and Chester County venue in the event of legal action.

4. The said financial security shall provide for, and secure to the public, the completion of any improvements which such security is being posted on or before the date fixed in the approved subdivision plan and subdivision agreement for completion of such improvements.

5. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment the Township may require the developer to post additional security in order to assure that the financial security equals the said one hundred ten (110) percent. Any additional security shall be posted by the developer in accordance with this Section.

6. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of

the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable, and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of such engineer shall be paid equally by the Township and the applicant or developer.

7. If the party posting the financial security requires more than one (1) year from the date of posting the financial security to complete the required improvements, the amount of financial security shall be increased by an additional ten (10) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.

8. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stage of development, subject to such requirements or guarantees as to improvements in the future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

9. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize to be released, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with the approved plans. Upon such certification, the Board shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed. The Township Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the applicant, but shall certify to the Board his independent evaluation of the proper amount of partial releases. The Board may, prior to final release at the time of completion and certification by the Township Engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.

(Ord. 128, 7/19/2004, §309)

§311. Commencement of Development.

1. No construction or land disturbance activities, with the exception of soil or percolation testing, test well drillings or similar engineering or surveying activities, shall be commenced until the applicant submits to the

Township a copy of the Recorder of Deeds' receipt for recording of the final plan.

2. No application for a building permit under the Township Zoning Ordinance [Chapter 27] shall be submitted and no building permit under the Township Zoning Ordinance shall be issued for any building in any subdivision or land development until the final plans for the said subdivision or land development has been approved and recorded as provided for and until the terms of §§305(2)(E) and 307 have been satisfied. Further, where final subdivision or land development approval has been conditioned upon the submission and approval of individual lot grading plans for some or all of the lots, no building permit shall be issued for construction or any such lot until this condition has been complied with.

3. No water system or sewer system, including extensions to existing or proposed Township systems or new systems employing sewage treatment plants, shall be constructed prior to the issuance of appropriate permits from the Pennsylvania Department of Environmental Protection or from Federal or local agencies, as required.

(Ord. 128, 7/19/2004, §310)

§312. Plan Amendments. Any modification of the approved plan shall be resubmitted and reprocessed in the same manner as the original plan. All site disturbance activities shall cease pending approval of modified plans.

(Ord. 128, 7/19/2004, §311)

Part 4

Development Design Standards

§401. General.

1. The following standards shall be complied with in all subdivision and land development, and are intended as the minimum for the promotion of the public health, safety and welfare. If an applicant, however, can clearly demonstrate to the satisfaction of the Board that because of peculiar physical conditions pertaining to his land, the literal enforcement of these standards would cause undue hardship, such variations from their literal interpretation may be permitted as may be reasonable and consistent with the purpose and intent of this Chapter subject to §704 of this Chapter. Such variations shall represent the least change from the standard.

2. All proposed subdivisions shall comply fully with the existing zoning regulations applicable to the land, and no parcel of land shall be created, either by inclusion or exclusion from a proposed subdivision, that cannot be properly utilized for a permitted use under the existing zoning regulations.

3. Physical improvements to the property being subdivided shall be provided, constructed and installed as shown on the Plan of Record, in accordance with the requirements of the Township.

4. The design of all improvements in a subdivision or land development shall be in accordance with the design specifications, standards and requirements as set forth in this Chapter and/or other applicable ordinances or, in the absence of the foregoing, in accordance with the applicable provisions of the latest design specifications of the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection and/or such other governmental agency or body which promulgates or otherwise issues design standards, specifications and requirements relevant to the work. In the event that there are no design specifications, standards or requirements, as aforesaid, applicable to the design and construction of any improvements, or parts thereof, in a subdivision or land development, the design, and the specifications, standards and requirements proposed by the Applicant for such improvements shall be subject to the approval of the Township Engineer.

(Ord. 128, 7/19/2004, §400)

§402. Land Requirements.

1. No land shall be developed for residential purposes unless all known hazards to life, health, or property from flood, fire and disease shall have been eliminated or unless the plans for the development shall provide adequate safeguard against such hazards.

2. If, in the opinion of the Planning Commission, an applicant proposes streets or building development which would destroy existing tree growth,

whether by reason of street alignment, grading or otherwise, the Planning Commission may recommend to the Board of Supervisors:

- A. That the Board not approve the preliminary plan.
- B. An alternate method of subdivision which would preserve as many of the existing trees as is reasonably possible that are of eight (8) inch and greater caliper.
- C. That, as a condition of the Board's approval, the applicant be required to plant two (2) new trees of not less than two and one half (2½) inch caliper for every existing tree of eight (8) inch and greater caliper, which would be destroyed, such new trees to be planted on the lots and not as street trees, as approved by the Board.

The purpose of this particular regulation shall be to maintain the supply of natural vegetation, prevent erosion of the topsoil on the site and surrounding properties, foster the retention of ground water supply and generally promote the health, safety and welfare of the citizens.

(Ord. 128, 7/19/2004, §401)

§403. Lot Design.

1. General Lot Design Standards.

- A. Lot dimensions, areas and orientation shall be appropriate for the type of development and use contemplated, and sufficient to provide the required space for off-street parking and other accessory uses.
- B. Side lot lines shall be at right angles to straight street lines, and radial to curved street lines and cul-de-sac turnarounds.
- C. Lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- D. The depth of residential lots shall be not less than one (1) or more than three (3) times their width.

2. Tract Frontage Standards.

- A. All tracts proposed for subdivision or land development shall have direct access to a public street and, where applicable, shall have a frontage in accordance with zoning standards, but in no case shall such access be less than a minimum width of fifty (50) feet, with the ability to demonstrate adequate traffic safety to enter the highway.
- B. Any proposed lots abutting an existing or proposed arterial or collector street in the Township shall be designed as reverse frontage lots having access to the street with a lower function, as required in the Township Zoning Ordinance [Chapter 27].

C. All residential lots using reverse frontage shall have a rear yard with a minimum depth of seventy-five (75) feet, measured in the shortest distance from the proposed dwelling unit to the proposed right-of-way, and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

3. Building Setback Lines. The minimum building setback line shall be in accordance with the East Coventry Township Zoning Ordinance [Chapter 27].

4. Interior Lots. No interior lots shall be permitted.

5. Crosswalks.

A. Crosswalks may be required by the Board of Supervisors to facilitate pedestrian circulation and to give access to community facilities where situations warrant concern for the safety and welfare of Township residents.

B. The design and installation of required crosswalks shall be in accordance with the provisions of the Federal Highway Administration "Manual on Uniform Traffic Control Devices" and approved by the Township Engineer.

(Ord. 128, 7/19/2004, §402)

§404. Monuments and Markers.

1. Monument Standards.

A. Permanent concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided.

B. All monuments shall be placed by a registered professional engineer or surveyor so that the scored point created by an indented cross or drilled hole in the top of the monument shall coincide exactly with the point of intersection of the lines being monumented.

C. Monuments shall be set with their top level with the finished grade of the surrounding ground.

D. All streets shall be monumented on the right-of-way line at the following locations:

(1) At least one monument at each intersection.

(2) At changes in direction of street lines.

(3) At each end of each curved street line, (e.g., points of curvature and tangency); only one side of each street need be monumented.

(4) An intermediate monument wherever topographical or other conditions make it impossible to sight between two (2) otherwise required monuments.

(5) At such other places along the line of streets as may be determined by the Township Engineer to be necessary so that any street may be readily defined in the future.

E. Utility pipeline rights-of-way shall be monumented at all property lines.

F. Common open space and community sewage disposal areas shall be monumented.

2. Marker Standards.

A. Markers shall be accurately placed at all lot corners within subdivision.

B. Markers shall consist of solid iron rods or pins, with a minimum diameter of one-half ($\frac{1}{2}$) inch, and shall have a minimum length of thirty-six (36) inches and installed vertically.

C. Markers shall be placed in concrete to ensure that they will not be removed.

(Ord. 128, 7/19/2004, §403)

§405. Street System.

1. Proposed streets shall be consistent with such street plans or parts thereof as have been officially prepared and adopted by the Township, including recorded subdivision plans and the Comprehensive Plan or Official Map of the Township.

2. Proposed streets shall further conform to such Township, County and State road and highway plans as have been prepared, adopted and/or filed as prescribed by law.

3. Thoughtful and imaginative design of streets and their relationship to the arrangement and shape of lots is required. An important element is the blending with topography to produce curvilinear design and reasonable grades. The rectilinear design of streets and lots, involving long straight sections of street, shall be avoided.

4. Local streets shall be laid out so as to discourage through traffic, but provisions for street connections into and from adjacent areas may be required.

5. Where a subdivision abuts or contains an existing or proposed major thoroughfare, the Board may require dedication of additional right-of-way specified hereinafter and marginal access streets, rear service alleys, reverse frontage lots, or such other treatment as will provide protection for

abutting properties, reduction in the number of intersections with the major thoroughfare and separation of local and through traffic.

6. New partial streets shall not be permitted.

7. Dead end streets shall not be permitted.

8. Where streets and other public improvements continue into adjoining municipalities, evidence of compatibility of design, particularly with regard to street widths, shall be submitted and approved by both municipalities. The applicant shall coordinate such design with both municipalities to avoid abrupt changes in cartway width or in improvements provided.

9. Where a proposed subdivision abuts an existing subdivision having a dedicated residential street dead-ending at a common property line, the proposed subdivision shall make provision for extension of such dedicated residential street within the proposed subdivision. In the design of a proposed subdivision, provision shall be made for continuation of the width, gradient, general alignment and direction of traffic flow of a collector street that dead-ends at a common property line or is proposed in the Township Comprehensive Plan whenever such proposal has been adopted by resolution of the Board of Supervisors.

10. Where lots abut an existing street, additional right-of-way, paving and other street improvements may be required for such an existing street to the extent deemed by the Board to be in the public interest.

11. If lots resulting from original subdivision are large enough to permit resubdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided in accordance with §406 of this Chapter.

12. Private streets may be permitted only in a gated/guarded community with a homeowners association that shall guarantee the maintenance of the streets.

(Ord. 128, 7/19/2004, §404)

§406. Street Right-of-Way Widths.

1. The minimum right-of-way, cartway and shoulder widths for all new streets in the Township shall be as follows:

<u>Street Function</u>	<u>Right-of-Way Width</u>	<u>Paved Cartway Width</u>	<u>Paved Shoulder* Width</u>
<u>Arterial Streets</u>			
Principal Arterial	Per PennDOT	Per PennDOT	Per PennDOT
Minor Arterial	60'	24'	8'
<u>Collector Streets</u>			

SUBDIVISION AND LAND DEVELOPMENT

<u>Street Function</u>	<u>Right-of-Way Width</u>	<u>Paved Cartway Width</u>	<u>Paved Shoulder*</u> <u>Width</u>
Major Collector	60'	24'	8'
Minor Collector	50'	24'	6'
<u>Local Streets</u>			
Primary Distributor	50'	24'	4'
Secondary Distributor	50'	24'	4'
Local Access Streets**	50'	24'	4'
R-3 Local Access Street [Ord. 151]	52'	28'	4'
<u>Cul-de-sac Streets</u>	52'	28'	8'
<u>Commercial Streets</u>	60'	24'	8'

*If curbs are provided, see the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township for curb and sidewalk construction.

**Including single access loop streets

2. Divided cartway streets (or boulevards), or parts thereof, may be permitted subject to approval by the Board of Supervisors, upon recommendation of the Planning Commission, and the following requirements;

A. Each cartway shall be one-way and twelve (12) feet in width with a shoulder as required in §406(A), above.

B. The minimum separation between cartways shall be ten (10) feet and shall not exceed twenty (20) feet, and such separation area shall be landscaped according to a plan recommended by the Planning Commission and approved by the Board of Supervisors.

C. Each side of each cartway shall be curbed, where required, with vertical curbs meeting the specifications of §416.

D. The minimum right-of-way of divided cartway streets shall meet the requirements of §406(1) plus one (1) foot for each foot of separation between one-way cartways.

3. Eyebrow type street sections may be permitted subject to approval by the Board of Supervisors, upon recommendation of the Planning Commission, and shall meet all applicable design standards of §§408, 409, 410 and 411 of this Part.

4. The Township may require additional right-of-way and cartway widths for the following purposes:

A. To promote public safety and convenience.

B. To provide parking space in commercial districts and in areas of high-density residential development.

C. To accommodate special topographic circumstances which may result in cut/fill slopes extending beyond the standard right-of-way in all circumstances to assure accessibility for maintenance operations.

5. Rights-of-way of lesser width than prescribed in this Section shall not be permitted.

6. Subdivisions abutting existing streets may be required to provide, for dedication, sufficient land to provide the ultimate right-of-way for such existing streets in accordance with the provisions of this Section.

7. Where a subdivision abuts an existing street of improper cartway or right-of-way width or alignment, the Board of Supervisors shall require the dedication of land sufficient to widen the street or correct the alignment and require the escrow of money where deemed necessary in order to improve said cartway.

(Ord. 128, 7/19/2004, §405; as amended by Ord. 151, 12/8/2008, §1)

§407. Increase of Right-of-Way Widths. In the case where lots created within a subdivision are large enough to accommodate either further subdivision, or a higher intensity of development, and thus may result in higher traffic levels, the Township may require that additional right-of-way be provided to permit the future development of a higher order street. (Ord. 128, 7/19/2004, §406)

§408. Street Grades.

1. There shall be a minimum centerline grade of one (1) percent. Centerline grades shall not exceed the following:

<u>Street Function</u>	<u>Maximum Grade</u>
Arterial	6%
Collector	7%
Local	8%
Commercial	5%

2. In the approach to an intersection, the street grade shall not exceed the following percentage for the classification of street indicated below. These approach grades shall extend for a minimum of one hundred (100) feet from the nearest right-of-way of the intersection street:

SUBDIVISION AND LAND DEVELOPMENT

<u>Street Function</u>	<u>Maximum Grade</u>
Arterial	3%
Collector	4%
Local	6%
Commercial	3%

3. At all changes of street grades where the algebraic difference exceeds one (1) percent, vertical curves shall be provided per AASHTO, "A Policy on Geometric Design of Highways and Streets."

4. Under no circumstances shall maximum grades be permitted using the minimum curve radii.

(Ord. 128, 7/19/2004, §407)

§409. Street Alignment.

1. Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.

2. The minimum centerline radii for horizontal curves shall be provided per AASHTO, "A Policy on Geometric Design of Highways and Streets." Centerline radii and superelevation shall be provided in accordance with AASHTO Standards.

3. A tangent of at least one hundred (100) feet shall be introduced between all horizontal curves on collector and arterial streets and between reverse curves on local streets.

4. Super elevation in accordance with PennDOT standards shall be required when curve radii are less than six hundred (600) feet on arterial streets.

(Ord. 128, 7/19/2004, §408)

§410. Street Intersections.

1. Right angle intersections shall be required.

2. No more than two (2) streets, creating a four-way intersection, shall cross at the same point.

3. Intersections with arterial, collector and commercial streets shall be located not less than five hundred (500) feet apart, measured from centerline to centerline.

4. Streets entering from opposite sides of another street shall either be directly across from each other or offset by at least one hundred and

fifty (150) feet on local and collector streets, and three hundred (300) feet on arterial and commercial streets, measured from centerline to centerline.

5. Where curbs are required, curb radii shall not be less than thirty-five (35) feet, forming a tangential arc, and the top curb grade lines for intersecting streets shall be so designed that would meet at a common point if projected. For all intersections involving an arterial street, a forty (40) foot radius shall be required, and on commercial streets a fifty-five (55) foot radius shall be required.

6. Safe sight distances shall be provided at all street intersections. Within such lines of sight, no vision-obstructing object, including plant materials, shall be permitted. Safe sight distances shall be provided for all intersections in accordance with "Pennsylvania Department of Transportation Design Manual," Part 2, Highway Design, Publication 13M (DM-2).

7. Greater safe sight distance dimensions imposed by PennDOT for intersections with the State highway system shall supersede the above.

8. Whenever a subdivision abuts or contains an existing or proposed street with an ultimate right-of-way of sixty (60) feet or more, the Township Planning Commission may recommend and the Board may require restriction of access to the street by:

A. Provision of reverse frontage lots.

B. Provision of service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the streets.

C. Provision of marginal access streets, provided that the reserve strips establishing such marginal access streets shall be dedicated to the Township under an agreement meeting the approval of the Township.

(Ord. 128, 7/19/2004, §409)

§411. Single Access Streets/Cul-De-Sacs.

1. A single access street shall not be approved wherever a through street is feasible as determined by the Board of Supervisors upon recommendation of the Planning Commission.

2. A single access street shall not be more than one thousand (1,000) feet in length and shall not furnish access to more than twenty (20) dwelling units unless clearly impractical due to tract dimensions or topography. In the case of single access loop streets, the measurement of the length shall be taken between the farthest edge of the cartway and the centerline of the cartway of the through street to which it connects. In the case of a cul-de-sac, such measurement shall be taken between the center of the turnaround and the centerline of the cartway of the street to which it connects.

3. The Board of Supervisors may permit additional dwelling units to be served by a single access street or and/or the length of a single access street greater than one thousand (1,000) feet upon recommendation of the Planning Commission and only after due consideration of the feasibility of a through street, adjacent land uses, lot dimensions, topography and drainage.

4. The Board of Supervisors may, upon recommendation of the Planning Commission, require the following for single access streets:

A. Provision of a constructed street stub(s) extending to the boundary of the tract where appropriate to provide connection with an adjoining tract(s).

B. Provision of emergency access designed to the satisfaction of the Board of Supervisors.

C. Right-of-way for future connection.

5. Any constructed street stub for access to an adjoining tract or because of authorized staged development shall be provided with a temporary, all weather turnaround within the subdivision, and the use of such turnaround shall be guaranteed to the public until such time as the street is extended.

6. The Board of Supervisors may require, as a condition of approval and to be noted on the plan of record, that parcels with access to a single access street that are capable of further subdivision or land development under current zoning regulations shall not be subdivided and/or developed until the single access street becomes a through street.

7. Single access streets, permanently designed as such, shall have a minimum length of five hundred (500) feet.

8. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround, unless a fully curbed planting island is constructed, in which case the minimum radius of the pavement shall be twenty-one (21) feet. When a fully curbed planting island is to be constructed, the applicant shall be required to submit a proposal, acceptable to the Township for the maintenance of such planting island.

9. The minimum radius to the pavement edge or curb line shall be forty-five (45) feet and the minimum radius of the right-of-way line shall be sixty (60) feet.

10. Drainage of cul-de-sac streets shall preferably be towards the open end.

11. The centerline grade on a cul-de-sac street shall not exceed eight (8) percent and the grade of the diameter of the turnaround shall not exceed five (5) percent.

12. For single-family detached lots, there shall be a maximum of four (4) lots containing any access along the turnaround portion of a cul-de-sac street measured from reverse curve to reverse curve.

13. The turnaround right-of-way of a cul-de-sac street shall be placed adjacent to the tract boundary and a fifty (50) foot right-of-way width shall be provided along the boundary line to permit dedication, in accordance with §606 of this Chapter, and extension of a street at full width, unless future expansion of a cul-de-sac street is clearly impractical or undesirable. The small triangles of land beyond the cul-de-sac to the boundary shall be dedicated to the Township.

(Ord. 128, 7/19/2004, §410)

§412. Acceleration, Deceleration and Turning Lanes.

1. Deceleration or turning lanes shall be required by the Township upon the recommendation of the Township Engineer and the Traffic Engineer along existing and proposed streets.

2. Deceleration lanes shall be designed to the following standards:

A. The lane shall have a minimum width of twelve (12) feet, or in the case of intersections with State highways, such width as is required by the applicable regulations and standards of PennDOT.

B. The lane shall be paved the required width for the entire length, which shall be measured from the centerline of the intersecting road. In addition, there shall be a seventy-five (75) foot taper, indicated by a painted yellow stripe, provided at the beginning of the lane so that traffic can leave the main travel lane smoothly.

C. The minimum lane length shall be as follows:

<u>Posted Speed Limit</u>	<u>Minimum Taper</u>	<u>Deceleration Lane Length</u>
25 mph	75'	165'
35 mph	75'	275'
45 mph	75'	300'

3. Acceleration lanes are required only when the need is indicated by a traffic impact study. The design shall be as per the recommendation of the Township Engineer. As necessary, a paved taper shall be provided for right hand turns.

4. Upon the recommendation of the Township Engineer and the Traffic Engineer, acceleration and deceleration lanes shall be provided for:

A. All streets intersecting with streets of a functional classification of collector and greater.

B. All commercial development, the length of acceleration and deceleration lanes to be determined by the Traffic Impact Study.

(Ord. 128, 7/19/2004, §411)

§413. Street Construction. All materials entering into the construction of streets and the methods of construction and drainage shall be in accordance with the applicable requirements of Pennsylvania Department of Transportation Specifications Publication 408, latest revision thereof, and shall be supplied by vendors approved by the Pennsylvania Department of Transportation for the supply of such materials. The thickness of all materials shall be as described in the Material Thickness Table, below, and detailed in the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township. Inspection of materials and construction methods shall be as approved, and in accordance with §602 of this Chapter.

A. Street Design.

(1) Thickness of base and paving for new Township streets shall meet the minimum requirements outlined in the Materials Thickness Table, below:

Materials Thickness Table

	Reference* Collector Streets	Arterial Local Street	Commercial
ID-2 Wearing Course	420	1½"	1½"
ID-2 Binder Course	420	2"	2"
Bituminous Concrete Base Course (BCBC)	305	5"	6"
PA DOT No. 2A Coarse Aggregate Sub Base	703.2	6"	6"

Notes to Materials Thickness Table:

1. All thickness specifications are for compacted materials.
2. BCBC over 5 inches in depth shall be laid in two passes.
3. All base courses and/or ID-2 binder course shall be overlaid with a wearing course no later than one year after installation unless approved otherwise by the Township.
4. Binder course shall be installed immediately following base course installation.

*Reference to section number PA DOT Publication 408, latest revision.

(2) Paving design is based on overall soil conditions in the Township. The Board may require additional paving, base or sub-base materials where soil types are inferior, wet or otherwise

unsuitable as indicated by the "Soil Survey of Chester and Delaware Counties, Pennsylvania" prepared by the U.S. Soil Conservation Service or where, in the opinion of the Township Engineer, such conditions exist.

B. Subgrade.

(1) The area within the limits of the proposed road surface shall be shaped to conform to the line, grade and cross-section of the proposed road.

(2) Remove or stabilize all unsuitable subgrade materials.

(3) Wet or swampy areas shall be permanently drained and stabilized, as permitted by the regulatory agency having jurisdiction.

(4) Fills shall be made with suitable materials approved by the Township Engineer and thoroughly compacted for full width in uniform layers of not more than eight (8) inches thick. No more than two (2) feet of fill shall be laid between inspections by the Township Engineer.

(5) The subgrade shall be thoroughly compacted by rolling with a minimum ten (10) ton three-wheel roller. Equivalent vibratory sheepsfoot or rubber-tired rollers may be used at the discretion of the Township Engineer. Subgrade shall be compacted, tight and dry, to ninety-five (95) percent compaction at optimum moisture and shall not be soft and spongy under the roller. Compaction of the subgrade shall extend the full width of the cartway, including the width to be occupied by shoulders.

(6) In fill areas compaction tests meeting ASTM or ASHA standards are required for each three (3) feet of fill thickness. The tests shall be conducted in each eight (8) inch layer at one hundred fifty (150) foot intervals. The tests must be performed by a certified testing laboratory and results submitted to the Township Engineer. All compaction must be ninety-five (95) percent compaction at optimum moisture. Any layer not coming up to standard will be removed or rerolled until suitable compaction is obtained.

(7) As an alternate to the compaction and testing requirements described above, the subgrade may be proof rolled. Proof rolling shall consist of several passes of a smooth drum vibratory compactor that is capable of imparting a total (static plus dynamic) drum force of not less than five hundred fifty (550) pounds per linear inch of drum width. It may be necessary to operate the equipment in the static mode if the groundwater level is close to the subgrade elevation. Should any unsuitable areas be detected by the proof rolling that cannot be stabilized by additional passes of the equipment, the material in such unsuitable areas shall be undercut and replaced with compacted aggregate fill. The determination of what, if any, areas are unsuitable shall be

at the sole discretion the Township Engineer. Any unsuitable areas, as determined by the Township Engineer, shall be repaired to his satisfaction prior to the subbase installation.

C. Paving.

(1) Paving and base thickness and materials shall be as specified in subsection (A) of this Section.

(2) The sub-base course where required shall be installed and compacted in accordance with Pennsylvania Department of Transportation specifications and shall extend thirty-six (36) inches on all streets beyond the paving line when curbs are not to be installed.

(3) Bituminous base, binder and surface courses shall be laid to the specified thickness measured, after compaction. All bituminous courses shall be laid with a mechanical bituminous paver in accordance with specifications of the Pennsylvania Department of Transportation Specifications, Publication 408, latest edition.

(4) Crown board and straight edge shall be used for checking street construction. Maximum tolerance shall not exceed one-quarter ($\frac{1}{4}$) inch in the finished surface.

(5) Delivery slips for all material deliveries shall be furnished to the Township Engineer.

(6) Failure to adhere to the above specifications shall give the Board cause to refuse to accept streets for dedication.

D. Grading and Shoulders.

(1) Roadways shall be graded for the full width of the right-of-way on each side. Shoulders or berm areas, including planting strips behind curbs, shall be graded with a minimum slope of one-half ($\frac{1}{2}$) inch per foot and a maximum slope of one (1) inch per foot. Beyond the limits of this grading, banks shall be sloped to prevent erosion but this slope shall not be more than three (3) to one (1) vertical with tops of slope in cuts rounded. All unpaved areas between the street line and the curb or shoulders (as the case may be) shall be covered with not less than four (4) inches of topsoil, fertilized and seeded in manner and with materials approved by the County Agricultural Extension Service.

(Ord. 128, 7/19/2004, §412)

§414. Private Streets. Private streets may be permitted in a unified development that is under single ownership subject to all of the road design and construction standards of this Part. (Ord. 128, 7/19/2004, §413)

§415. Private Driveways. Private driveways shall be permitted only in accordance with the provisions of Chapter 21, Streets and Sidewalks, Part 1, Driveways, of the East Coventry Township Code of Ordinances. (Ord. 128, 7/19/2004, §414)

§416. Curbs.

1. Curbs shall be installed along both sides of all proposed streets and shall be the vertical type. Curbs shall always be required where sidewalks are required.

2. Grass swales may be permitted, in lieu of curbs, within rights-of-way in developments of less than ten (10) lots, subject to the approval of the Township, however all subdivisions or land developments with lots of less than one (1) acre shall provide curbs.

3. No drainage of any kind shall be conducted over the top of curbs and sidewalks and all underground drainage conductors shall be installed in accordance with the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township.

4. Curbs shall be provided in all new parking areas located within a land development.

5. All curbs shall be constructed of monolithic concrete. Such concrete shall develop a compressive strength of three thousand five hundred (3,500) pounds per square inch (psi) in twenty-eight (28) days. Certification of the concrete mix shall be provided to the Township.

6. Curbs shall be installed in accordance with the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township.

7. Curbs shall have clean-cut joints, a minimum of two (2) inches deep, every ten (10) linear feet and expansion joints every sixty (60) linear feet or less, at structures, and at the end of a day's work. Expansion joints shall be one-half ($\frac{1}{2}$) inch in width with premolded expansion joint filler.

8. All curbs shall have a depth of not less than eighteen (18) inches and shall be eight (8) inches in thickness at the base and seven (7) inches in thickness at the top. Curbs shall be constructed with an eight (8) inch reveal and shall rest on a compacted bed of AASHTO No. 57 (PADOT 2B) crushed stone of a depth of not less than four (4) inches.

9. When a curved curb joins with a tangent curb, at curb returns, on sharp curves, where a curb is jointed to an inlet, and elsewhere as directed by the Township, there shall be embedded in the concrete two (2) #4 reinforcing bars twenty-four (24) inches long. These bars shall extend twelve (12) inches into the curb on each side of the joint. The portion of the bar extending into the tangent curb shall be rendered bondless by a coating of approved material and enclosed in part in approved tubes or caps which will provide a one-half ($\frac{1}{2}$) inch minimum positive clearance pocket. The top surface of the curb shall be finished true to line and grade in a

smooth, neat and even manner and the edge of the faces and back shall be rounded to a radius of one (1) inch.

10. The depressed curb at driveways shall be no higher than one and one-half (1½) inches above the street surface. The length of this depressed curb shall not exceed thirty-five (35) feet without a safety island that shall not be less than fifteen (15) feet in length. Pipes, grates or other similar, materials or structures shall not be placed in the gutter to form a driveway ramp.

11. Where it is necessary to replace existing vertical curbs with depressed curbing, two (2) ten (10) foot long sections of existing curb shall be removed down to the subgrade without disturbing the adjacent cartway paving. Any portions of the cartway disturbed during curbing removal or installation shall be repaired to new condition.

12. Any depressed curb sections that are unused when a development or phase of a development is completed, shall be completely removed and replaced with full section upright curbing to line and grade of adjacent curbing. Forming and pouring vertical curbing on top of an existing curb depression will not be permitted.

13. Curb cut ramps, for use by the handicapped, shall be provided at all street intersections, and shall be installed in accordance with the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township.

(Ord. 128, 7/19/2004, §415)

§417. Street Names and Signs.

1. Proposed streets that are in alignment with already existing and named streets shall bear the names of the existing streets.

2. In no case shall the name of a proposed street duplicate, or be similar to an existing street name in the Township or in any postal district located in the Township or in an adjacent municipality, irrespective of the use of the suffix, street, road, avenue, boulevard, driveway, place, court, lane, etc.

3. All street names shall be subject to the recommendation of the Township Planning Commission and the approval of the Board of Supervisors.

4. Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by the Township and installed in accordance with the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township.

5. Traffic control signs shall be shown on final plans for all streets. Signs and posts shall meet PennDOT standards. The Township may require additional signs prior to dedication of roads.

(Ord. 128, 7/19/2004, §416)

§418. Sidewalks.

1. All residential developments in excess of ten (10) lots shall have either a sidewalk or pathway system acceptable to the Township. All residential developments with lots of one (1) acre or less shall provide sidewalks on both sides of the street. Curbs shall always be required where sidewalks are required. The materials, location and construction of all proposed pathways shall be of approved by the Township.

2. Concrete sidewalks shall be provided on all collector streets within a subdivision; on all streets within one thousand (1,000) feet of and leading to a school; on all commercial streets; and at such other locations deemed by the Board of Supervisors to be necessary for the safety and convenience of the public.

3. Concrete sidewalks may be required on both sides of new streets in residential subdivisions or land developments. Sidewalks may be required on only one (1) side of the street in subdivisions or land developments if there are residential lots on only one (1) side of the street.

4. Concrete sidewalks shall be provided along all new streets and parking areas located in nonresidential subdivisions or land developments unless it can be shown, to the satisfaction of the Board of Supervisors, that pedestrian traffic does not follow or mix with vehicular traffic, in which case, both sidewalks and curbs may not be required.

5. Concrete sidewalks, in all new developments or street construction, shall be located within the street right-of-way a minimum of three (3) feet and seven (7) inches measured from the street side of the curb to the street side of the paved edge of the sidewalk. In no case shall a sidewalk be located closer than three (3) feet from the ultimate right-of-way. Where the dimensional standards for street pavement and sidewalk pavement and location dictate, an increased right-of-way shall be provided. Sidewalks shall be installed in accordance with the provisions of this Section and the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township. A grass planting-strip shall be provided between the curb and sidewalk. All required street trees shall be installed on the residence side of the sidewalk at a distance of at least two (2) feet outside of the ultimate street right-of-way line, unless otherwise specified elsewhere, in which case the greater distance shall apply. In developed areas of the Township, the existing conditions shall be considered in the application of these location requirements. Curb cut ramps, for use by the handicapped, shall be provided at all street intersections, and shall be installed in accordance with the "Standard Construction and Materials Specifications for Public Improvements" for East Coventry Township.

6. All sidewalks shall be constructed of monolithic concrete with a minimum thickness of four (4) inches. Said concrete shall develop a compressive strength of three thousand five hundred (3,500) pounds per square inch (psi) in twenty-eight (28) days. Certification of the concrete mix shall be provided to the Township.

7. The paved width of sidewalks shall be a minimum of five (5) feet in all new developments or street construction. In no case shall a bike path be

combined with a sidewalk. In developed areas of the Township, the existing conditions shall be considered in the application of these requirements.

8. Where sidewalks abut a building, wall or other permanent structure, a premolded expansion joint filler, one-half (½) inch in thickness shall be placed between the building, wall or other permanent structure and the sidewalk for the full length of such building, wall or other permanent structure.

9. Sidewalks shall have clean-cut joints, a minimum of one (1) inch deep, every five (5) linear feet, and expansion joints every thirty (30) linear feet or less, at structures, and at the end of a day's work. Expansion joints shall be one half (½) inch wide with premolded expansion joint filler. Expansion joint material shall also be placed between any curb and driveway apron. All sidewalks shall have a broom finish.

10. Sidewalks shall be placed on a minimum four (4) inch compacted base of AASHTO No. 57 (PADOT 2B) crushed stone. Driveways over sidewalks shall be a minimum of six (6) inches thick and shall include 6" x 6" x 10 gauge welded wire fabric (WWF) and shall be placed on a minimum four (4) inch compacted base of AASHTO No. 57 (PADOT 2B) crushed stone.

(Ord. 128, 7/19/2004, §417)

§419. Parking Areas.

1. All parking areas shall comply with the standards of the East Coventry Township Zoning Ordinance [Chapter 27] and the specifications contained herein.

2. All parking areas shall be paved and curbed in compliance with the specifications for residential streets as provided in §§413 and 416 of this Part.

3. The parking of recreational vehicles shall not be permitted in residential districts except on single-family detached dwelling lots.

(Ord. 128, 7/19/2004, §418)

§420. Shade Trees and Screen Planting. Street trees shall be installed within a four (4) foot wide planting strip located a minimum of two (2) feet outside of and parallel to the ultimate street right-of-way line, such trees to be spaced not less than forty (40) feet nor more than sixty (60) feet apart, staggered along both sides of all streets. No fences, hedges, free-standing walls, or planting shall be permitted within the rights-of-way of a street. Screen planting, as required by §428 of this Chapter shall be installed by the applicant. Shade trees and screen planting shall be in conformance with §428 of this Chapter. The developer is required to use plant material selected from the Plant List contained in the Appendix and where practical to use plants that are native species. When a specific landscaping plan is prepared by the applicant and approved by the Township, the applicant may, upon approval of the Board of Supervisors, provide for the

rearrangement of required street trees into clusters of trees to blend with other proposed landscaping on lots.

(Ord. 128, 7/19/2004, §419)

§421. Sewage Treatment and Disposal.

1. The proposed method of sanitary sewage disposal shall be in accordance with the East Coventry Township officially adopted Act 537 Sewage Facilities Plan, as amended.

2. All subdivisions and land developments shall be served by a public sewer system where such system is available at the time the initial application for approval of the subdivision or land development is filed with the Township. Where a public sewer is not available to serve a subdivision or land development, proposing ten (10) lots or more, at the time the initial application for approval of the subdivision or land development is filed with the Township but is planned to be available to the subdivision or land development in the Act 537 Sewage Facilities Plan within ten (10) years after such time of filing, the applicant shall install capped sewer lines, including lateral connections, unless waived by the Board of Supervisors, as may be necessary to provide adequate service to each lot when connection with the sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision, and the laterals shall be capped until sewers are provided. Onsite disposal facilities shall also be provided in the interim. Design of capped sewer systems shall be subject to approval by the Pennsylvania Department of Environmental Protection and the Township. The specifications for sanitary sewers are contained in the "Technical Specifications for Construction of Sanitary Sewers and Appurtenances" for East Coventry Township. Permits, where required, shall be obtained before construction of a sanitary sewer system is started. For purposes of this subsection, and other provisions of this Chapter, a public sewer system shall be considered "available" to the subdivision or land development when (i) an operational public sanitary sewer main is located in a street or easement on or abutting all or a major portion of the land which is subject of the subdivision or land development, and (ii) the publicly operated treatment plant, to which the main transports sewage, has capacity available to accept and treat the anticipated sanitary sewage flow from the subdivision or land development.

3. Where a public sewer system is not available to serve a subdivision or land development at the time the initial application for approval of the subdivision or land development is filed with the Township, and is not planned to be available to the subdivision or land development in the Act 537 Sewage Facilities Plan within ten (10) years after such time of filing, the applicant shall prepare an analysis of alternative onsite sewage disposal systems and an evaluation of the most suitable system for the site. Such alternatives shall include, but are not necessarily limited to, the following:

- A. Standard septic systems.
- B. Standard drip irrigation systems.

- C. Standard elevated sand mound systems.
- D. Aerobic systems.
- E. Spray irrigation systems.

4. Sanitary sewers shall be designed and constructed in strict accordance with the Pennsylvania Department of Environmental Protection and the Township standards. A copy of the approval by the Township of such systems shall be submitted with the final plan. Permits, where required, shall be obtained before construction of a sanitary sewer system is started.

5. Sanitary sewers shall not be used to carry stormwater.

6. All lots which cannot be connected to a public or community sanitary sewage disposal system in operation at the time of construction of an occupied building shall be provided with an individual onsite sanitary sewage disposal system meeting the design standards of Title 25, Chapter 73, Rules and Regulations of the Pennsylvania Department of Environmental Protection. Where a proposed subdivision of twelve (12) dwelling units or more is adjacent to a public sewer service area, such subdivision shall provide public sewer service to be consistent with East Coventry Township's Act 537 Sewage Facilities Plan.

7. If individual onsite sanitary sewage disposal facilities are to be utilized, the applicant shall prepare a feasibility report to be incorporated in the Land Planning Modules to be submitted. Such report shall compare the cost of providing onsite facilities with alternate sewage disposal methods. Based on the analysis of this report, the Township may require the installation of a public sanitary sewer system or capped sewer constructed in accordance with Township regulations.

8. Where individual onsite sanitary sewage facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary length of tile fields at a safe distance from, and where feasible at a lower elevation than the proposed well and building(s) to facilitate gravity flow.

9. Where community onlot sewage disposal systems are to be utilized that require a building or structure to be located above ground, such building or structure shall be completely screened from the view of any adjacent properties, according to the screening provisions of §428 of this Chapter.

10. Sanitary Sewage Disposal System(s).

A. Sanitary sewage disposal systems shall be provided consistent with the design standards and requirements contained in Title 25, Chapter 73, Rules and Regulations of the Pennsylvania Department of Environmental Protection.

B. Whenever an applicant proposes that individual onsite sanitary sewage disposal systems shall be utilized within the subdivision, before

the issuance of a building permit, an onsite system shall be designed and a permit obtained from the Chester County Health Department.

C. In all other cases, the applicant shall provide a complete community or public sanitary sewage disposal system. The design, installation, ownership and maintenance of such systems shall be subject to the approval of the Township Engineer, the Township Planning Commission and Board of Supervisors, and to the approval of the Pennsylvania Department of Environmental Protection. As a minimum, the design of each community on lot sanitary sewage disposal system shall provide a reserve area in the event the primary subsurface disposal area should fail. The reserve area shall be located within soils suitable to support such a system and shall not be located within the required open space. Both the primary and reserve area shall be tested, preserved from structures, and noted on the final plan.

11. Deep Probe Test Pits and Soil Percolation Test Requirements.

A. Deep probe test pits and soil percolation tests shall be performed for all subdivisions wherein building(s) at the time of construction will not be connected to a public or community sanitary sewage disposal system in operation. Deep-hole test pits are recommended as a further means of guaranteeing suitability of a site.

B. Deep probe test pits and soil percolation tests shall be made in accordance with the procedure required by the Pennsylvania Department of Environmental Protection by either a registered professional engineer or a registered sanitarian and/or the Pennsylvania Sewage Facilities Act sewage enforcement officer.

C. Deep probe test pits and soil percolation tests shall be performed on each lot within the site of the proposed onsite sanitary sewage disposal facilities for both the primary and backup disposal area and noted on the final plan.

D. Testing is required for both a primary and replacement sewage absorption area. Both sites and test holes must be shown on final plans.

(Ord. 128, 7/19/2004, §420)

§422. Water Supply.

1. Adequate and potable water supply system(s) shall be installed consistent with design principles and requirements contained in this Chapter and Pennsylvania Department of Environmental Protection regulation.

2. All subdivisions and land developments shall be served by a public water system where such system is available.

3. Where the applicant proposes that individual onsite water supply systems shall be utilized within the subdivision, before the issuance of a building permit, a permit shall be obtained subject to the standards provided

for within Section 501, Chapter 500, Rules and Regulations of the Chester County Health Department.

4. Wherever required by the Township within the existing Public Water Franchise Area, the subdivision shall be provided with a complete public water distribution system by the Pennsylvania American Water Company, its successor or the legally licensed franchisee for the area. The design and installation of such public system shall be subject to the approval of the Township and the water company.

5. Wherever a public water system is provided, fire hydrants, as approved by the Township, shall be installed for fire protection. Where fire hydrants are installed, they shall meet the specifications of the Insurance Services Office (ISO), and the location shall be approved by the Township.

A. Generally, all fire hydrants shall be located on a minimum looped eight (8) inch line.

B. Fire hydrants shall be spaced in a development so that all proposed building(s) will be no more than six hundred (600) feet from the hydrant measured along traveled ways and shall provide a minimum of one thousand (1,000) GPM at a residual pressure of twenty (20) pounds per square inch (psi) for a two (2) hour period at the highest useable floor.

C. For additional fire protection, a dry hydrant may be required incorporated into existing and proposed ponds or reservoirs and an access easement provided for emergency use.

6. Minimum Water Supply Requirements.

A. In all subdivisions and land developments served by public water, the following water pressure and volume requirements shall apply:

(1) Residential Use. A minimum domestic pressure of fifty (50) pounds per square inch (psi) shall be provided at each house to be connected to the water main. The system to which the residential unit is connected shall have sufficient capacity to supply a minimum of three hundred (300) gallons of water per residential unit per day within the subdivision or land development.

(2) Commercial or Industrial Use. A public water supply shall be required for all new commercial and industrial subdivisions and/or land developments. The public water supplier shall certify in writing, to the satisfaction of the Board of Supervisors, that sufficient water pressure and volume is available to serve the commercial or industrial use. A minimum pressure of fifty (50) pounds per square inch (psi) shall be provided at each commercial or industrial building connected to the water supply main. When a builder wishes to connect to a public water system, a study will be made to determine if there is adequate water to supply the building and use. Such study shall include a Fire Flow Test for a minimum of two (2) hours. For purposes of fire

protection in commercial and industrial districts, one thousand (1,000) GPM at twenty (20) pounds per square inch (psi) residual pressure, at the highest useable floor, is required or as required for ISO certification. A Fire Flow Test for a minimum of two (2) hours shall be conducted.

7. Approvals Conditioned Upon Adequacy of Public Water Supply. No subdivision or land development application proposing a public water supply system shall be granted preliminary or final approval unless the applicant demonstrates, by a fair preponderance of the credible evidence, full compliance with the provisions of this Section.

(Ord. 128, 7/19/2004, §421)

§423. Other Utilities.

1. All other utility lines including, but not limited to electric, gas, street light supply, cable television, other electronic services and telephone shall be placed underground. Installation of all utilities shall be in strict accordance with the engineering standards and specifications of the public utility concerned.

2. In accordance with the provisions of Act 178, all developers, contractors, etc., will contact all applicable utilities and accurately determine the locations and depth of all underground utilities within the boundaries of the tract proposed for development, prior to excavation. A list of the applicable utilities and their phone numbers shall appear on the plans submitted for review and proof shall be presented to the Township prior to final plan approval.

3. Gas, Electric and Petroleum Product Pipelines. There shall be a minimum distance of fifty (50) feet, measured at the shortest distance, between any proposed dwelling and any existing natural gas, electric, telecommunications or petroleum product transmission right-of-way line.

(Ord. 128, 7/19/2004, §423)

§424. Stormwater Management.

1. Stormwater Management.

A. Storm Drainage Required. A stormwater management system including a storm sewer system and all appurtenances and retention or detention facilities shall be required to be constructed by the owner or applicant in any area from which the surface or subsurface drainage could impair public safety, cause physical damage to adjacent lands or public property, or be required by the provisions of Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

B. The standards for design of stormwater drainage and management systems are contained in Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

C. Maintenance of stormwater management facilities shall be provided in accordance with Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

(Ord. 128, 7/19/2004, §423)

§425. Stripping, Piling, Replacement or Removal of Topsoil. Initial construction of any site shall consist of stripping and piling of topsoil from all areas planned to be disturbed. The area stripped shall be kept to a minimum. Upon completion of other construction, the entire amount of topsoil stripped shall be replaced on the site. No topsoil shall be disposed of, by sale or otherwise, off the site of the construction without the approval of the Township. The removal of topsoil from any site resulting from the sale of trees shall not be permitted without the replacement of an equal amount of topsoil. (Ord. 128, 7/19/2004, §424)

§426. Park, Recreation and Open Space.

1. Purpose. The purpose of this Section is to implement the recreation and open space goals of the Township as contained in the East Coventry Township Open Space, Recreation and Environmental Resources Plan, including:

A. Providing a variety and balance of facilities that can meet the varied recreational needs of the residents, businesses and industry.

B. Preserving open space and protecting the environmental, scenic, historical and cultural features of East Coventry.

C. Developing a system of facilities that can deliver recreation services effectively and efficiently.

D. Providing equitable and convenient accessibility to recreation facilities.

E. Supporting community development and stability by providing recreation sites and open space.

2. In reviewing subdivision and land development plans, the applicant shall consider whether community facilities, especially parks, recreation and open space areas are adequate to meet the needs of the additional dwellings proposed by the subdivision or land development. The Township Open Space, Recreation and Environmental Resources Plan identifies existing and proposed standards for these facilities. The Township Planning Commission shall make a recommendation, based upon the proposed plan and the proposals submitted by the applicant as required by the provisions of the Open Space, Recreation and Environmental Resources Plan and this Section, to determine if the plan satisfies the requirements of the Township.

3. Land for Recreation or Open Space. All subdivision and land development proposals shall be required to meet the provisions for providing suitable public recreation and open space. These provisions require that new development proposals provide land to be dedicated to meet public recreation and open space needs or fees-in-lieu thereof. All proposed public recreation and open space facilities are to be designed in accordance with the provisions of the Open Space, Recreation and Environmental Resources Plan.

A. The applicant shall provide land and improvements to satisfy the requirements of this Section. The amount and composition of land to be provided shall meet the following standards:

(1) The amount of land to be dedicated (see Percentage of Tract Area to be Dedicated Table, below) is based on the lot area proposed for development.

(2) All land is to be offered for public dedication, but can remain as private property for use by the residents of the proposed project at the discretion of the Board of Supervisors.

(3) The location and use of land to be dedicated to meet the provisions of this Section should be designed in accordance with the Open Space, Recreation and Environmental Resources Plan.

(4) The applicant is responsible for providing and installing recreation equipment and/or site improvements suitable to the area of land, subject to the approval of the Board of Supervisors.

Percentage of Tract Area to be Dedicated

<u>Type of Development**</u>	<u>Total</u>	<u>Active Recreation</u>	<u>Passive Recreation/ Open Space</u>
Residential Lots Greater Than 10.0 Acres	0%	--	--
Residential Lots of 6.0 To 10.0 Acres	5%	0%	5%
Residential Lots from 2.0 Acres To Less Than 6.0 Acres	10%	0%	10%
Residential Lots from 25,000 Square Feet to Less Than 2 Acres	20%	0%	20%
Residential Lots from 10,000 Square Feet to Less Than 25,000 Square Feet	25%	5%	20%

<u>Type of Development**</u>	<u>Total</u>	<u>Active Recreation</u>	<u>Passive Recreation/ Open Space</u>
Residential Lots From 3,000 Square Feet to Less Than 10,000 Square Feet and Mobile Home Parks	30%	20%	10%
Residential Lots of Less Than 3,000 Square Feet, and Apartments, Townhouse and Condominium Development	40%	25%	15%
Adult Community and Adult Community Mobile Home Park	20%	0%	20%
Industrial Uses	20%	0%	20%
Commercial Uses	20%	0%	10%
Institutional Uses	25%	0%	25%

**If the proposed development includes the clustering or lot averaging option, the net density shall be used to determine the lot sizes.

B. If the Township and applicant agree to a fee-in-lieu of land dedication to satisfy the requirements of this Section, the amount of any fee shall be equal to the total fair market value of the land otherwise required by this Section. Determination of the total fair market value of the land at its highest and best use shall be prepared by an MAI appraiser and shall be the responsibility of, and funded by, the applicant. The appraisal shall result in a reasonable value acceptable to the Board of Supervisors.

4. Open Space Characteristics and Design Standards. In designating areas for open space and recreation within the subdivision or land development, the applicant shall adhere to the following criteria and standards. The designated areas for open space and recreation shall be:

A. Consistent with the Township Comprehensive Plan.

B. Suitable for active recreational uses, without interfering with adjacent dwelling units, parking, driveway, and roads. The land used for active recreation may be in the floodplain, but shall not be on slopes exceeding three (3) percent, in wetlands, or comprised of surface water.

C. Consistent with natural features and historic features protection provisions, as contained in §429 of this Chapter.

D. The linkage of erosion and sediment control or stormwater control facilities with open space and recreation areas may be permitted

and is encouraged by the Township if the presence of such facilities does not conflict with proposed activities or detract from the aesthetic values associates with the open space. Plans for combining these facilities should be submitted to the Township for review and approval.

E. Interconnected with open space or recreation areas on abutting parcels wherever possible, including provisions for pedestrian trails, for general public use to create linked pathway systems within the Township.

F. Coordinated with applicable open space and recreation plans of any Federal, State, county, regional, adjacent municipal, or private organization to compliment various programs increasing the utility of the open space and recreation network.

G. Comprised of areas not less than seventy-five (75) feet in width, and not less than one-half ($\frac{1}{2}$) acre for active recreation facilities, or two (2) acres for passive recreation or open space facilities.

H. Provided with sufficient parking, as determined by the Board of Supervisors upon recommendation of the Township Engineer, Township Planner and the Park and Recreation Commission, with safe and convenient access by adjoining street frontage or other right-of-way easements capable of accommodating pedestrian, bicycle, maintenance, and vehicle traffic and containing appropriate access movements.

I. Undivided by any public streets, except where necessary for proper traffic circulation, and then only upon recommendation of the Township.

J. Free of all structures, except those related to outdoor recreational uses.

K. Suitably landscaped either by retaining existing vegetation and wooded areas and/or by a landscaping plan for enhancing open space areas through plantings which are consistent with the purposes of this Section and which minimize maintenance costs.

L. Conveniently accessible to the general public to improve the utility of the facility and to promote its use among the residents. This applies to private facilities with limited access, as well, in case it is ever offered for dedication to the Township.

(Ord. 128, 7/19/2004, §425)

§427. Outdoor Lighting Requirements and Standards.

1. Outdoor lighting facilities shall be required for all off-street parking areas and off-street loading areas and for all driveways providing ingress and egress thereto and along all road and pedestrian ways in all major subdivisions and land developments. The requirements and standards of this Section shall also apply to sign, architectural and landscape lighting.

2. Lighting plans for all major subdivisions and land developments shall be submitted as part of the preliminary plan requirements of §304 of this Chapter. Such lighting plans shall include a schematic layout of all proposed lighting fixture locations and isofootcandle plots of individual fixture installations and ten (10) foot by ten (10) foot illuminance grid plots for multifixture installations that demonstrate full compliance with the intensity and uniformity standards of this Section. The lighting plans shall also include the lighting fixture manufacturers' description of the equipment (catalog cuts) including luminaires, glare control devices, lamps, standards as well as mounting heights and means, hours of operation of the lighting and maintenance schedule.

3. The Board of Supervisors may require the applicant to demonstrate that no nuisance glare or disabling glare will result from implementation of the proposed lighting plan, or if unavoidable, the provision of adequate measures to mitigate nuisance glare and disabling glare both on the site and on adjoining properties and uses.

4. Outdoor Lighting Design Standards and Illumination Standards.

A. All lighting facilities for major subdivisions, land developments and uses governed by this Section shall provide an illumination level utilizing the current recommended practices and standards of the Illuminating Engineering Society of North America (IESNA).

B. Illumination where required by this Section shall have the lighting intensities and uniformity ratios as provided in the Lighting Handbook of the Illuminating Engineering Society of North America (IESNA), 9th Edition, as follows:

<u>Use</u>	<u>Maintained Footcandles</u>	<u>Uniformity Avg:Min</u>
<u>Parking, Multifamily</u>		
Vehicular/Pedestrian Activity		
Low Activity	0.2 Min	4:1
Medium Activity	0.6 Min	4:1
<u>Parking, Industrial/Commercial/ Institutional/Municipal</u>		
High Activity		
(Regional Shopping Centers/Fast Food Facilities/Major Athletic/Civic/ Cultural Facilities	0.9 Min	4:1
Medium Activity		
(Community Shopping Centers, Office Parks, Hospitals, Commuter Parking Lots, Cultural/Civic/Recreational Facilities)	0.6 Min	4:1

<u>Use</u>	<u>Maintained Footcandles</u>	<u>Uniformity Avg:Min</u>
Low Activity (Neighborhood Shopping, Industrial Employee Parking, Schools, Church Parking)	0.2 Min	4:1
Streets, Local Residential	0.4 Min	6:1
Streets, Local Commercial	0.9 Avg	6:1
Walkways and Bikeways	0.5 Avg	5:1
Community Mailboxes	0.9 Avg	6:1
Building Entrances	5.0 Avg	N/A

- Notes:
1. Illumination levels are maintained horizontal footcandles on the task, e.g. pavement or area surface.
 2. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio, e.g. for commercial parking, high activity, the average footcandles shall not exceed 3.6 (0.9 x 4)

C. Lighting fixtures shall be of a type and design appropriate to the lighting application and sensitive to the architecture and overall character of the area in which they are located.

D. For lighting horizontal surfaces such as roadways, pedestrian ways, bikeways and parking areas, fixtures shall meet IESNA "full cutoff" criteria.

E. The use of floodlighting, spotlighting, wall mounted fixtures, decorative globes and other fixtures not meeting IESNA "full cutoff" criteria may be permitted by the Board of Supervisors, only when the applicant can demonstrate acceptable glare and light trespass control and approved by the Township Engineer.

F. Fixtures shall be equipped with or be capable of being retrofitted with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution.

5. Control of Nuisance Glare and Disabling Glare.

A. All outdoor lighting shall be aimed, located, designed, installed and maintained so as not to present a hazard (disabling glare) to drivers or pedestrians by impairing their ability to safely traverse, and so as not to create a nuisance by projecting or reflecting objectionable light (nuisance glare) onto a neighboring property or use.

B. Floodlights and spotlights shall be so installed and aimed so that they do not project their output into the windows of neighboring residences, adjacent uses, directly skyward or onto a roadway or pedestrian way.

C. Unless otherwise permitted by the Board of Supervisors for reasons of safety and security, all exterior lighting of streets and pedestrian ways in the Township shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells, to permit extinguishing light between 11 p.m. and dawn so as to mitigate nuisance glare and skyward light trespass.

D. When all-night, safety or security, lighting is permitted by the Board of Supervisors, the average site lighting intensity levels shall not exceed twenty-five (25) percent of the levels normally permitted by this Section.

E. Vegetative or other screens shall not be employed as the primary means of controlling glare, but rather glare control shall be achieved through the use of such means as cutoff fixtures, shields and baffles and the appropriate selection and application of fixture mounting height, wattage, aiming angle and fixture placement.

F. The intensity of illumination projected onto a residential property from an adjoining property shall not exceed 0.1 vertical footcandle anywhere on such residential property.

G. Fixtures meeting IESNA "full cutoff" criteria shall not be mounted in excess of twenty (20) feet above finished grade, in commercial, office and industrial developments nor in excess of fourteen (14) feet above finished grade in residential developments. Fixtures not meeting IESNA "full cutoff" criteria, when permitted by the Board of Supervisors, shall not be mounted in excess of sixteen (16) feet above finished grade in commercial, office and industrial developments nor in excess of ten (10) feet in residential developments, unless specifically approved by the Board of Supervisors.

H. Fixtures used for architectural lighting, e.g., facade, fountain, feature and landscape lighting, shall be aimed so as not to project their output beyond the objects intended to be illuminated and shall be extinguished between 11 p.m. and dawn, unless specifically approved by the Board of Supervisors.

I. When outdoor lighting is required in major subdivisions and land developments, such lighting shall provide illumination of street name signs so that they can be read by occupants of vehicles approaching the intersection when entering the area. The street name sign shall not be directly lighted, however the immediate area of the sign shall be lighted to maintain a minimum of one (1) footcandle per square foot. In addition, community mailboxes shall be illuminated.

6. Installation.

A. Electrical feeds for exterior lighting standards shall be placed underground.

B. Exterior lighting standards shall be placed a minimum of five (5) feet outside paved areas or on concrete pedestals at least thirty (30) inches high above the pavement or suitably protected by other means as approved by the Township.

7. Maintenance. Lighting fixtures and ancillary equipment shall be maintained by the owner or leasee of the property on which they are located, or if located within a public right-of-way, the owner of the right-of-way. Such maintenance shall be performed so as to continuously meet the requirements of this Section.

8. Inspection and Compliance.

A. The Township shall conduct a post-installation nighttime inspection to verify compliance with the requirements of this Section and if appropriate require remedial action, the cost of which shall be borne by the applicant.

B. Nuisance Glare and Inadequate Illumination.

(1) The owner of an exterior lighting installation that produces unacceptable levels of nuisance glare, skyward light, excessive or insufficient levels of illumination or otherwise does not conform to the requirements of this Section shall be notified thereof by the Township and shall be required to take remedial action.

(2) Remedial action must be completed within thirty (30) days of notification by the Township, after which the Township may levy a fine for as long as the hazard continues to exist.

9. Nonconforming Exterior Lighting. Any lighting fixture or lighting installation existing on the effective date of this Chapter that does not conform to the requirements of this Section shall be considered a legal nonconformance however shall be required to conform to the requirements of this Section when:

A. It is deemed to create a safety hazard.

B. It is replaced or relocated.

(Ord. 128, 7/19/2004, §426)

§428. Landscaping, Screening and Buffering.

1. A completely landscaped visual barrier, or landscape screen, shall be provided and continually maintained between any use for which this standard is required by the Township Zoning Ordinance [Chapter 27], and adjoining residential uses and districts. Such required screening and buffering shall conform to the requirements of this Section.

2. The provisions of this Section shall apply to the following development and construction activities:

A. All nonresidential building construction excluding agricultural buildings and buildings accessory to residential uses.

B. All residential dwellings excluding single-family detached dwellings not otherwise requiring subdivision and land development approval.

C. All parking areas that exceed six thousand (6,000) square feet in area.

D. All loading or storage areas for equipment or materials that exceed four thousand (4,000) square feet in area.

E. Construction of any of the following structures or facilities that exceed two thousand (2,000) square feet in ground coverage:

(1) Public utility structures and facilities.

(2) Liquid and solid waste collection, storage, conveyance and treatment facilities.

(3) Any other structure or facility of a similar character or impact.

F. Land disturbance activities, excluding those of an agricultural nature, exceeding one (1) acre.

G. Any activity for which a landscape buffer or screen is required, as a condition of approval, by the Zoning Hearing Board or the Board of Supervisors.

3. The applicant shall submit a landscape plan, prepared by a landscape architect, registered as such in the Commonwealth of Pennsylvania, that demonstrates compliance with all provisions of this Section and which indicates how the applicant's landscape planning and design is based upon the required existing resources and site analysis required in §303 of this Chapter.

4. Any portion of a lot or tract not used for buildings, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas shall be planted and continually maintained with an all-season ground cover and otherwise shall be landscaped in accordance with a landscape plan approved by the Township. Landscaping shall comply with the minimum design and planting standards and the criteria for the selection of plant material of this Section.

5. No trees shall be planted within five (5) feet of any property line nor shall trees be planted within any utility easement or right-of-way.

6. Minimum Planting Standards.

A. The total number of plantings shall be no less than the total calculated from all columns in the following table.

<u>Improvements/Conditions</u>	<u>Deciduous</u>		<u>Evergreen</u>	
	<u>Trees</u>	<u>Shrubs</u>	<u>Trees</u>	<u>Shrubs</u>
Per 1,000 Sq. Ft. of Gross Building Area	2	4	1	4
Per 2,000 Sq. Ft. Parking or Loading Area	1	2	1	2
Per 100 Lineal Ft. of New and Existing Road Frontage (Measures on Both Sides where Applicable)	2	5	2	5
Per 100 Lineal Ft. of Existing Tract Boundary	1	3	1	5

B. Where the applicant can demonstrate to the satisfaction of the Board of Supervisors that existing vegetation and/or topographic conditions located within one hundred (100) feet of the existing tract boundaries or within one hundred (100) feet of the cartway of existing or new road segments will conceal, on a year-round basis, adjacent properties from view from such tract boundary or road segment, the linear footage of such tract boundary or road segment may be excluded from the calculation of required plantings.

C. Any fractional plantings resulting from the calculation of required planting shall be rounded up to the nearest whole number.

D. All plantings used to comply with the minimum required number of plantings shall be:

- (1) Trees 2½ Inch Caliper, Minimum
- (2) Shrubs 24 to 30 inches in Height, Minimum
- (3) Evergreen plantings used to comply with the visual screening and buffering requirements shall be provided in accordance with §428(8)(D) below.

Plantings and their measurement shall conform to the standards of the American or U.S.A. Standard for Nursery Stock, ANSI or U.S.A.S. Z60.1 of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same USDA hardiness zone as the site and shall be nursery grown unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this Section. The Board of Supervisors, upon recommendation of the Planning Commission, may waive or reduce the required number and/or size of plantings if the applicant can

demonstrate to the satisfaction of the Board that retaining existing plant material or other means of landscaping substantially achieves the objectives of this Section.

7. Criteria for Plant Material Selection.

A. Species selected by the applicant from the approved Plant List in the Appendix shall reflect a careful evaluation of the required existing resources and site analysis and in particular the following:

(1) Existing and proposed site conditions and their suitability for the plant material based upon the site's geology, hydrology, soils and microclimate.

(2) Specific functional and design objectives of the plantings, which may include but not be limited to: the provision of a landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitat and aesthetic values.

(3) Maintenance considerations such as hardiness, insect and disease resistance, longevity and availability.

B. The applicant is encouraged to conform to the requirements of this Section through the use of nursery grown native tree and shrub species.

C. Species for shade trees shall be selected on the basis of hardiness, growing habit considering pedestrian and vehicular passage, minimal need for maintenance and compatibility with other features of the site and surrounding environs.

D. In order to promote disease protection, minimum maintenance, diverse natural plant associations and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under natural conditions on comparable sites.

8. Landscape Design Standards.

A. The minimum number of plantings shall be determined in accordance with §428(6), above, however additional plantings may be provided to further the objectives of this Section. The use of linear measurements to calculate the minimum number of plantings is not intended to specify a linear arrangement. Rather, groupings of plantings are encouraged consistent with the provisions of this Section.

B. The applicant shall provide the plantings and other landscaping improvements such as berms, solid fencing and/or walls, as necessary, to mitigate any adverse impacts, including visual impacts that the proposed activity will have on the site and adjoining properties as well as the Township overall and otherwise address all issues as identified in the review of the required existing resources and site analysis.

C. Plantings and other landscape improvements shall be provided according to a design in response to specific site conditions and which best mitigate adverse site activity impacts. The amount, density and types of plantings in any given location shall be based upon the natural features of the site, feasibility of using native species, proximity to existing dwellings, compatibility with adjacent uses, nature of views into an across the site and in consideration of privacy of residential uses that may be impacted.

D. Where a specific need(s) for visual screening or buffering have been identified, evergreen plantings shall be provided that are a minimum of eight (8) feet in height, measured from ground level, and planted at intervals of no less than eight (8) feet on center. Where approved by the Board of Supervisors, upon recommendation of the Planning Commission, the applicant may provide, in lieu of an immediate screen, an eventual screen (three (3) to five (5) years) to provide buffering for future development. Such eventual screen plantings shall be a minimum of two and one-half (2½) feet in height, measured from ground level, and planted at intervals of eight (8) feet on center.

E. Parking Lot Landscaping. All off-street parking areas shall be landscaped with trees and shrubs of varying species.

(1) Parking areas exceeding six thousand (6,000) square feet shall be bordered by planting areas at least ten (10) feet in width adjoining buildings and at least twenty (20) feet elsewhere, except where interrupted by access ways.

(2) Planting areas shall be placed so as to facilitate snow removal and proper surface water drainage and to provide for safe movement of traffic and pedestrians. Planting areas shall be elevated above the parking lot surface or bordered appropriately to prevent erosion or damage from vehicles. Bollards may be used to afford protection of trees.

F. Planting areas shall be selected and designed to reflect the natural landscape characteristics that existed prior to site disturbance as well as those environmental conditions to be created on the site.

G. The locations, dimensions and spacing of required plantings shall be adequate for their proper growth and maintenance, with consideration of the sizes of such plantings at maturity and their initial and future environmental requirements such as moisture and sunlight. In the selection of shade trees, consideration shall also be given to the aesthetic qualities of the site and to the protection of solar access. In the selection of the layout of landscape screens and buffers or the location and mix of the required plantings, consideration shall be given to the natural topographical setting of the site and the texture, coloration and compatibility of the varying plant species. It is strongly encouraged that improved landscapes be designed creatively in such a manner as to be attractive while maintaining the integrity of the natural landscape within which such landscapes are proposed.

H. Plantings shall be limited or carefully selected for locations where they may be disturbed or contribute to conditions hazardous to public safety. Examples of such locations include, but are not limited to parking area edges, underground and above ground utilities and sight triangles at intersections. No trees shall be planted closer than fifteen (15) feet from fire hydrants, streetlights or stop signs.

9. Conservation of Existing Vegetation and Natural Features. In accordance with §402(2), no portions of tree masses or trees of eight (8) inches DBH or greater shall be cleared unless a reforestation plan is prepared which demonstrates that two and one-half (2½) inch caliper trees, exclusive of street trees and buffer plantings, will replace those cleared. Such replacement trees shall be planted at a ratio of two (2) trees for each tree cleared. The applicant shall make all reasonable efforts to harmonize his plans with the preservation of existing trees. The areas surrounding all trees to be preserved shall not be disturbed within ten (10) feet of the drip line. Trees of twenty-five (25) inch DBH or greater shall not be disturbed.

A. When site disturbance necessitates the clearing of trees or portions of tree masses, the applicant shall be guided by the following criteria in the selection of vegetation for retention and clearing:

- (1) Aesthetic values including, but not limited to, autumn coloration, types of flower or fruit, bark and crown characteristics and amount of dieback present.
- (2) Susceptibility to disease and/or insect infestation.
- (3) Species longevity.
- (4) Wind firmness and capability of soil to hold trees.
- (5) Existence of disease, rot or other damage. Such damaged trees should be removed.
- (6) Protection of buildings and other structures.
- (7) The size of trees at maturity.

B. The applicant shall exercise care to protect retained trees from damage during construction. The following procedures shall be utilized in order to protect such trees:

(1) Where trees are to be retained, no disturbance or construction shall be permitted within ten (10) feet of the drip line of the trees. Where trees to be retained are adjacent to proposed disturbance or construction, appropriate fencing, four (4) feet in height, shall be placed at ten (10) feet outside the drip line of such trees. Such fencing shall remain in place throughout the duration of construction activity. Roots shall not be cut within the drip line of retained trees.

(2) Trees within twenty-five (25) feet of a building or other structure or bordering entrances and exits to a building site or

site otherwise to be disturbed shall be protected by a temporary barrier.

(3) No material shall be nailed or otherwise attached that may cause damage to trees during construction or site disturbance.

(4) Tree trunks and exposed roots accidentally damaged during construction or site disturbance shall be protected from further damage by being immediately and professionally treated.

(5) Tree limbs accidentally damaged during construction or disturbance shall immediately be sawed flush to the trunk.

(6) Nondormant trees located adjacent to construction of site disturbance activity shall be given an application of the appropriate type and amount of fertilizer to aid in recovery from potential accidental damage.

(7) Construction debris or other debris shall not be stored or disposed of within ten (10) feet of the drip line of retained trees except for mulched vegetative matter used to prevent soil compaction.

10. Site Maintenance and Guarantee.

A. All landscape improvements to be provided in accordance with this Section shall be installed and maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, as appropriate and not limited to provisions for surface mulch, guy-wires and stakes, irrigation, fertilization, insect and disease control, pruning and weeding.

B. The applicant shall guarantee in a form acceptable to the Township that all landscape improvements required in accordance with this Section shall be installed and maintained in a healthy and/or sound condition, or otherwise be replaced by equivalent improvements, for a period of at least eighteen (18) months. After installation and prior to acceptance of the landscape improvements by the Township, the Township shall perform an inspection of such improvements for compliance with the approved landscape plan.

C. The installation of landscape improvements shall be guaranteed along with all other site improvements in accordance with Part 6 of this Chapter. The cost of the landscape improvements including material and installation shall be considered in determining the amount of the performance guarantee required. The applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the installed plantings or other material during the eighteen (18) month replacement period.

(Ord. 128, 7/19/2004, §427)

§429. Natural and Historic Features Protection.

1. Consideration shall be shown, and limitations or restrictions shall be identified, for all natural features, such as large trees, watercourses, historic areas and structures, and similar community assets that, if preserved, will add attractiveness and value to the remainder of the subdivision. Trees shall be preserved wherever possible.

2. All uses and activities established after the effective date of this Chapter shall comply with the following standards. Site alterations, regrading, filling or clearing of vegetation prior to the submission of applications for zoning or building permits or the submission of plans for subdivision or land development shall be a violation of this Chapter. In the event that two (2) or more resources overlap, the resource with the greatest protection standard (the least amount of alteration, regrading, clearing or building) shall apply to the area of overlap.

A. Streams, watercourses, wetlands, wetland margins, lakes or ponds shall not be altered, regraded, developed, filled, piped, diverted or built upon except in strict compliance with the Pennsylvania Department of Environmental Protection regulations and where no other reasonable alternative is available.

B. In the event that a wetlands delineation, validated by the U.S. Army Corps of Engineers, is shown to vary from the wetlands boundary shown on the plan in accordance with §304(3)(A)(18), the Corps delineation will govern. The wetlands margin will then be measured from the Corps' delineated boundary.

3. Trails.

A. When a subdivision or land development proposal is traversed by or abuts an existing trail customarily used by pedestrians and/or equestrians, the applicant may be required to make provisions for the continued recreational use of the trail.

B. The applicant may alter the course of the trail, unless otherwise restricted by the terms and conditions under which the trail was granted, within the tract for which development is proposed under the following conditions:

(1) The points at which the trail enters and exits the tract remain unchanged.

(2) The proposed alteration exhibits quality trail design according to generally accepted principals of landscape architecture. The Township recommends the Department of Environmental Protection publication, Nonmotorized Trails, prepared by the Pennsylvania Trails Program of the Bureau of State Parks as a guide for the development of high quality trails.

(3) The proposed alteration does not run coincidentally with a paved road intended for use by motorized vehicles.

C. An applicant may propose and develop a new trail. If existing or proposed trails are available for use by the general public, the

easement for said trail may be credited toward the open space requirement described in §426.

D. Improvements to trails shall demonstrate adherence to principles of quality trail design, enhancing the enjoyment of the rural qualities of the Township.

E. Trails shall have a vertical clearance of no less than ten (10) feet.

F. Trails shall be located in an easement or right-of-way with a minimum width of twenty (20) feet.

G. The width of the trail surface may vary depending upon the type of use to be accommodated, but in no case shall be less than four (4) feet or greater than ten (10) feet.

H. Trails shall be constructed of material as approved by the Township Engineer.

I. The base and binder course for trails and bridges, where required, behind any lot, shall be installed prior to the issuance of a certificate of occupancy. The wearing course shall be installed at the time of the installation of the wearing course for the streets.

J. No trail shall be designed with the intent to accommodate motorized vehicles.

K. Trails and their easements or rights-of-way shall be offered for conveyance in fee simple to the Township.

4. Historic features and other points of interest shall be identified and preserved in accordance with the terms of the East Coventry Township Zoning Ordinance [Chapter 27] and may be credited toward open space requirements under the following conditions:

A. The feature being preserved shall be listed upon a Township, County, State and/or National roster or inventory of features, monuments, or places of historic or general interest, or the applicant shall by some other means demonstrate to the satisfaction of the Board of Supervisors that the said feature is of sufficient public interest to warrant preservation. Features may include, but shall not necessarily be limited to historically, culturally, or architecturally significant buildings, monuments, or sites; unique or historic landscape elements, such as historic gardens or Penn oaks; archaeological sites; and any other feature which shall be deemed by the Board of Supervisors to be of historic or cultural value to the Township.

B. The feature shall be situated upon a tract of land of sufficient size to preserve an impression, although not necessarily the exact condition, of the environs of the said feature prior to construction of the proposed development. The amount of credit toward open space requirements shall be equivalent to the size of this tract.

C. The historic feature shall not be moved.

D. The applicant may be required to provide interpretive signage explaining the significance of the feature.

E. The feature and the tract upon which it is located shall be maintained by the owner of the tract, a community association, a public agency, or a private conservation group which shall be responsible for the maintenance of the feature and its grounds.

F. The developer shall be responsible for improvements to the site deemed necessary by the Board of Supervisors to protect public safety.

G. The Township shall maintain a permanent record of all historic features that have been credited to open space requirements, as well as the amount of land per feature so credited.

(Ord. 128, 7/19/2004, §428)

Part 5

Mobile/Manufactured Home Parks

§501. Submission of Application and Review of Plans. The construction of a new mobile/manufactured home park, as permitted by the Township Zoning Ordinance [Chapter 27], or the alteration of an existing park shall be made only after the application and plans have been submitted in accordance with this Chapter. The application and plans shall be prepared and processed in accordance with Part 3 and the applicable standards incorporated in Part 4 of this Chapter and shall include the following:

A. Complete park layout showing lot sizes and dimensions, open space areas, and all improvements including streets, vehicular parking areas, water supply location, sewer and water lines, service buildings, sewage system, lighting facilities, walkways, refuse storage areas and disposal methods, recreation facilities and open space.

B. Plans for providing adequate management of surface drainage.

C. A Letter of Adequacy and Available Capacity from the Township regarding the ability to provide public sewer service. No individual or community sewer systems shall be permitted.

D. Details of the construction of the sewerage system, including size, slope, material, manhole and clean out construction and location.

E. Details of a public water supply system, including expected capacity, pressure, delivery rate and volume and distribution system, including size, materials and valve locations.

F. Construction of service buildings showing plumbing, heating, ventilation and other sanitary systems which are to be included.

G. Lighting facilities and electrical power line installation.

H. Anticipated number of parking spaces as would be permitted under available land area.

I. A copy of approved plans that will be kept on file by the reviewing health agency.

J. Phasing schedule and plans.

(Ord. 128, 7/19/2004, §500)

§502. Permits, Inspections and Fees.

1. Permits Required.

A. It shall be unlawful for any person to construct, alter, extend or operate a mobile/manufactured home park within East Coventry Township unless and until the applicant obtains:

(1) A permit issued by the Chester County Health Department in the name of the operator in accordance with 28 Pa. Code §§17.71 - 17.75.

(2) A mobile/manufactured home park permit issued by the Township in the name of the operator, which shall not be issued until a copy of the Chester County Health Department permit has been furnished, all permits for water supply and sewage systems shall have been obtained, and all other requirements contained herein have been complied with and final approval of the application has been granted by the Board of Supervisors.

(3) A building permit is issued by the Township after having paid a fee for each unit to be placed within the mobile/manufactured home park.

(4) Inspection and Issuance or Refusal of Permit. Upon receipt of the application for a permit, the Township shall:

(a) Verify the validity of the Chester County Health Department permit.

(b) Verify the issuance of a certificate of the Board of Supervisors granting a conditional use; verify the Planning Commissions' recommendations and the Supervisors' approval of the development plan; and, upon finding that all requirements of this Chapter have been met, shall thereupon issue a permit in the name of the operator; the permit shall be valid for one (1) year from the date of issue.

(c) Require annual inspection by Township.

(d) For yearly renewal of permit, there shall be a fee, payable to the Township of East Coventry and submitted to the Township with the application for renewal.

(5) Applicability to Existing Mobile/Manufactured Home Parks. Upon the effective date of this Chapter, the operators of any existing mobile parks shall be required to show the Township evidence of having obtained a permit from the Chester County Health Department, and within a period of one (1) year shall take the necessary steps to comply with the provisions of this Part; and, at the end of the one (1) year period, shall obtain a permit from the Township upon payment of the fee, and shall renew his permit each year thereafter. In the event that the Township shall find evidence of any condition that is not in accordance with the provisions of this Part, the Township shall refuse to issue, or renew, a permit, and notify the Chester County Health Department, accordingly. In the event that it is not feasible for the operator to comply literally with all of the provisions of this Part, the

Township shall provide guidance to the operator concerning the procedure for gaining a position on the agenda to bring an appeal to the Board of Supervisors. The Board shall decide to issue or deny the permit and, if issued, shall be done so without prejudice as long as a renewal of the Chester County Health Department permit is obtained. Any extension of an existing mobile/manufactured home park after the effective date of this Chapter shall be in strict accordance with the provisions herein.

2. Fees.

A. Fees for the initial application and preliminary and final approvals shall be prescribed by resolution of the Board of Supervisors.

B. The fee for the annual permit shall be prescribed by resolution of the Board of Supervisors and shall be submitted to the Township with the application for the annual permit.

C. Fees for the inspection of a mobile/manufactured home park during and following construction shall be as specified in §703 of this Chapter.

3. Inspections.

A. A mobile/manufactured home park shall be subject to inspection during any stage of construction and at any time during its operation by an authorized representative of the Township of East Coventry or other agency having jurisdiction, and such representative shall make known his presence and authorization to the operator at the time of each inspection.

B. The Township is hereby authorized to stop all work or other activity it finds to be in violation of the provisions of this or other applicable ordinances.

C. Upon receipt of the application for annual permit and before issuing such annual permit, the Township shall make an inspection of the mobile/manufactured home park to determine compliance with this Part. The Township shall thereafter notify the permittee of any instances of noncompliance with this Part and shall not issue the annual permit until the permittee has corrected all such violations.

4. Where the applicant or permittee believes that the Township has failed to follow procedures or has misinterpreted or misapplied any provision of this Chapter in the review of an application for a mobile/manufactured home park permit or an annual permit renewal, he may appeal such action to the Township Board of Supervisors in accordance with §909.1 of Act 247.

5. No permit issued under this Part shall be transferable to a different location. No person, holding a permit under this Part, shall extend or reduce the area of any mobile/manufactured home park, add any new facility or structure, until notice of such proposed changes shall have been given to the Township which shall ascertain, after investigation as in the case of an original application for a permit, that such proposed changes are

in accordance with all the requirements of this Part, and if so, grant approval.

(Ord. 128, 7/19/2004, §501)

§503. Discontinuation of Use. In the event a mobile/manufactured home park operator intends to discontinue operation of the park, the operator shall notify park residents and the Township one (1) year in advance of the intended closing date. Such notification to the Township shall include a plan for discontinuance that shall include the following:

- A. The capping of all sewers.
- B. The capping of all water lines.
- C. The removal of all underground and above ground storage tanks.
- D. A plan for the displacement of all park residents.
- E. The removal of all signs.
- F. A plan for securing structures and facilities proposed to remain on the property.
- G. The posting of a bond, or other guarantee, suitable to the Township, to insure the completion of subsections (A) through (F), above.

(Ord. 128, 7/19/2004, §502)

§504. Density, Area and Dimensional Standards. Regulations governing the density of dwelling units in any mobile/manufactured home park and the dimensions of any mobile/manufactured home park or mobile/manufactured home lot therein shall be as specified in the East Coventry Township Zoning Ordinance [Chapter 27]. (Ord. 128, 7/19/2004, §503)

§505. Access Requirements. A safe and convenient vehicular access shall be provided from abutting public streets or roads to each mobile/manufactured home park. To ensure safe access, the following standards shall apply:

A. With the exception of those street standards specified in this Part, which standards shall control, the standards in Part 4 of this Chapter shall govern the design and construction of streets in a mobile/manufactured home park. (See "Residential Street Provisions," §413, Street Construction.)

B. Access. The entrance road connecting the mobile/manufactured home park with a public street or road shall be designated as, and constructed to the standards of, a collector road with a minimum pavement width of twenty-eight (28) feet. At least five

hundred (500) feet must separate entrance roads, if more than one (1) entrance road is permitted. No entrance to a mobile/manufactured home park shall be beyond one thousand (1,000) feet from access to an arterial road.

C. Interior Streets. All interior streets shall be designed and constructed to the same specifications as required for subdivisions, and shall be paved to a width of at least twenty-four (24) feet; all access streets, between interior streets and the public street, shall be paved to a width of at least twenty-four (24) feet; and, all interior streets shall be provided with vertical concrete curbs to subdivision standards herein.

D. Parking Areas.

(1) Off-street parking areas shall be provided in all mobile/manufactured home parks for the use of park occupants and guests. All off-street parking areas shall be paved in accordance with the provisions of §419 of this Chapter.

(2) The parking requirements of the Township Zoning Ordinance [Chapter 27] shall be applicable to all mobile/manufactured home parks.

(3) Required car parking spaces shall be so located as to provide convenient access to the mobile/manufactured home, but shall not exceed a distance of two hundred (200) feet from the manufactured or mobile/manufactured home that it is intended to serve.

(4) Two (2) required parking spaces shall be provided for onlot parking for each mobile/manufactured home.

(5) Onsite common parking areas shall be provided at a rate of one (1) parking space per each mobile/manufactured home lot. No single common parking area shall contain more than twenty (20) parking spaces.

(6) The parking and storage of recreational vehicles and all trailers in a mobile/manufactured home park shall not be permitted.

E. Sidewalks.

(1) All mobile/manufactured home parks shall provide concrete sidewalks, appropriately located along both sides of all streets and between the park streets and all community facilities provided for park residents.

(2) All sidewalks shall be constructed in accordance with the requirements and standards of §418 of this Chapter.

(Ord. 128, 7/19/2004, §504)

§506. Sewage Treatment and Disposal.

1. General. All mobile/manufactured home parks shall connect to and be served by the entity for sewer in the Township in accordance with that entity's regulations.

2. Individual Sewer Connections. Subject to the regulations of the entity for sewer in the Township and the current adopted Township Plumbing Code, the following represents minimum standards for sewer system connections:

A. Each mobile/manufactured home lot shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each lateral sewer connection to the mobile/manufactured home drain outlet with approximately a vertical position and there shall be provided a concrete apron at ground level with an expansion joint below the apron.

B. The sewer connection shall have a nominal inside diameter of not less than four (4) inches, and the slope of any portion thereof shall be at least one-fourth ($\frac{1}{4}$) inch per foot. All joints shall be watertight.

C. All sewer connections shall be installed in accordance with the current adopted Township Plumbing Code and sanitary sewer specifications in effect at the time of construction.

D. Provision shall be made for plugging the sewer riser pipe when a mobile/manufactured home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half ($\frac{1}{2}$) inch above ground elevation.

(Ord. 128, 7/19/2004, §505)

§507. Water Supply.

1. General. All mobile/manufactured home parks shall be connected to the public water supplier, meeting the Insurance Services Office, Inc. (ISO) standards for volume, delivery rate and pressure, in East Coventry Township. Construction shall be in strict accordance with the water supplier's standards and the current adopted Township Plumbing Code at the time of construction.

2. Individual Water Riser Pipes and Connections. Subject to the water supplier's standards and the current adopted Township Plumbing Code, the following represents minimum standards for public water connections:

A. Individual water riser pipes shall be located within the confined area of the mobile/manufactured home stand at a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.

B. The water riser pipe shall have a minimum nominal inside diameter of one-half (½) inch and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with a cap when a mobile/manufactured home does not occupy the lot.

C. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

D. A shutoff valve below the frost line shall be provided near the water riser pipe on each mobile/manufactured home lot. Underground stop-and-waste valves are prohibited unless their type of manufacture and their method of installation are approved by the Township. A corporation cock shall be provided at the water main.

3. Fire Protection.

A. Fire protection facilities, meeting the requirements of the Insurance Services Office, Inc. (ISO) Fire Suppression Rating Schedule, Table 340, "Calculation of Needed Fire Flow," 6th Edition or later, shall be provided and shall otherwise meet the requirements of §422(4) and 515 of this Chapter.

(Ord. 128, 7/19/2004, §506)

§508. Outdoor Lighting Requirements and Standards. Standards for lighting shall conform to the provisions set forth in §427 of this Chapter. In addition, a driveway light on the right side of each driveway serving a mobile/manufactured home pad shall be required. (Ord. 128, 7/19/2004, §507)

§509. Electrical Distribution System.

1. General Requirements. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company's specifications regulating such systems and the National Electrical Code (NEC), and all utility lines shall be underground.

2. Power Distribution Lines. Electrical service conductors shall be located not less than eighteen (18) inches radial distance from water, sewer, gas or communications lines.

3. Individual Electric Connections. All exposed noncurrent carrying metal parts of mobile/manufactured homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile/manufactured homes or other equipment.

(Ord. 128, 7/19/2004, §508)

§510. Refuse Disposal and Recycling.

1. General Requirements.

A. The mobile/manufactured home park operator shall be responsible for the proper storage, collection, recycling and disposal of refuse.

B. The storage, collection, recycling and disposal of refuse in the mobile/manufactured home park shall be so conducted as to create no health hazard, rodent harborage, excess odor, insect breeding areas, accident or fire hazard or air pollution and shall comply with the Pennsylvania Department of Health regulations or other applicable agencies, governing mobile/manufactured home parks.

C. All refuse shall be stored, whether for recycling or disposal, in fly-tight, watertight, rodent-proof containers, which shall be located not more than two hundred (200) feet from any mobile/manufactured home space and no less than one hundred (100) feet from the mobile/manufactured home park boundary. Containers shall be provided in sufficient number and capacity to properly store all refuse.

D. Community refuse recycling and disposal containers shall be screened in such manner as approved by the Township.

E. Racks or holders shall be provided for all refuse recycling and disposal containers. Such container racks or holders shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.

F. All refuse for recycling or disposal shall be collected at least once weekly. Where suitable collection service is not available from private agencies, the mobile/manufactured home park operator shall provide this service. All refuse shall be collected and transported in covered vehicles or covered containers.

(Ord. 128, 7/19/2004, §509)

§511. Fuel Supply and Storage.

1. Natural Gas System.

A. Natural gas piping system, when installed in mobile/manufactured home parks, shall be maintained in conformity with the required natural gas supplier's standards.

B. Each mobile/manufactured home lot provided with piped gas shall have an approved shut-off valve, installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

2. Liquefied Petroleum Gas Systems (LPG).

A. All liquefied petroleum gas systems shall be installed in accordance with NFPA 58, 2001 Edition or later, (National Fire Protection Association, Liquefied Petroleum Gas Code).

B. Systems shall be provided with safety devices to relieve excess pressures and shall be arranged so that the discharge terminates at a safe location.

C. Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile/manufactured home and shall be maintained in effective operating condition.

D. All LPG piping outside of the mobile/manufactured homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile/manufactured homes. All outside piping and vessels shall be screened from view by a full and opaque evergreen landscaping or a solid fence or wall.

E. Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile/manufactured home lot and shall be securely, but not permanently, fastened to prevent accidental overturning.

F. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile/manufactured home or any other structures unless such installations are specifically approved by the entity having jurisdiction.

G. No cylinder containing liquefied petroleum gas, bottled gas, or fuel oil shall be located in a mobile/manufactured home. Nor shall such cylinder containing liquefied petroleum gas, bottled gas or fuel oil be located within ten (10) feet of an exterior source of ignition, openings into direct-vent appliances, mechanical ventilation air intakes or other building openings.

3. Fuel Oil Supply Systems.

A. All fuel oil supply systems provided for mobile/manufactured homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the entity having jurisdiction.

B. All piping from outside fuel storage tanks to mobile/manufactured homes shall be securely, but not permanently, fastened in place. Outside fuel storage tanks shall be double walled and shall be placed above grade, and shall be screened from view by a full and opaque evergreen landscaping or a solid fence or wall. All exposed above-grade piping shall also be screened from view by a full and opaque evergreen landscaping or a solid fence or wall.

C. All fuel oil supply systems provided for mobile/manufactured homes, service buildings and other structures shall have shut-off valves located within five (5) inches of storage tanks.

D. No fuel combustion unit shall be used in any mobile/manufactured home without being vented to the outside of the trailer.

E. Storage tanks located in areas subject to traffic shall be protected against physical damage.

(Ord. 128, 7/19/2004, §510)

§512. Stormwater Management. The provisions of this Chapter and the provisions of Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances shall be applicable to all mobile/manufactured home park development. (Ord. 128, 7/19/2004, §511)

§513. Open Space, Landscaping, Screening and Buffering. The open space and screening and buffering criteria of §§426 and 428 of this Chapter shall apply to all mobile/manufactured home parks. (Ord. 128, 7/19/2004, §512)

§514. Community Buildings.

1. Where a community building is provided it must contain a toilet and lavatory. In addition, the mobile/manufactured home park may provide laundry facilities, storage facilities for use of occupants, management office and indoor recreation facilities for park residents and guests only.

2. Construction of all community buildings shall be in compliance with all applicable codes and shall be maintained in a clean, sanitary and structurally safe condition.

3. Ownership and maintenance of all community buildings shall be defined in the application for a mobile/manufactured home park.

4. All community buildings shall be equipped to provide accessibility for the handicapped in accordance with Pennsylvania Labor and Industry Standards.

(Ord. 128, 7/19/2004, §513)

§515. Fire Protection.

1. The mobile/manufactured home park area shall be subject to the rules and regulations of the applicable Fire Prevention Code where provided, and shall meet the standards and criteria for life and fire safety of Chapter 4 of NFPA 501A, National Fire Protection Association, Standard for Fire Safety Criteria for Manufactured Home Installations, Site and Communities, 2000 Edition or later.

2. Mobile/manufactured home park areas shall be kept free of litter, rubbish and other flammable materials.

3. Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in public service buildings under park control.

4. Fire extinguishers of a type approved by the Fire Underwriter Laboratories (a BC Classification type) bearing the Underwriters label, shall be readily accessible within three hundred (300) feet of each mobile/manufactured home. It is required that mobile/manufactured home park owners or operators require each mobile/manufactured home unit to be equipped with a fire extinguisher, smoke detectors and carbon monoxide detectors.

5. Hydrants, as required by the Fire Prevention Code, shall be installed along all streets within the mobile/manufactured home park and space no greater than five hundred (500) feet apart.

(Ord. 128, 7/19/2004, §514)

§516. Maintenance of Common Areas and Facilities.

1. The operator/permittee of a mobile/manufactured home park shall be responsible for the proper repair and maintenance of all common facilities, including, but not limited to, roads, parking areas, sidewalks or pathways, trees and landscaping, common open space, water supply and sewage disposal systems, fire extinguishers and community buildings.

2. The operator/permittee of a mobile/manufactured home park shall, prior to issuance of any certificate of occupancy pursuant to final approval of an application for a new development or expansion, post with the Township a maintenance bond in a form acceptable to the Township Solicitor in an amount sufficient to cover for a period of eighteen (18) months, the costs of maintenance of all common areas and facilities described in §310 and subject to performance guarantees during their construction, said costs to be estimated by the Township Engineer or other representative.

(Ord. 128, 7/19/2004, §515)

Part 6

Construction and Acceptance of Improvements

§601. Construction Required.

1. The applicant shall construct all roads, streets, lanes or alleys, together with all other improvements whether public or private, including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, storm drainage facilities, sanitary sewers, landscaping, traffic control devices, open space and restricted areas and erosion and sediment control measures in conformance with the final plan as approved, and applicable provisions of the Pennsylvania Department of Transportation Specifications, Publication 408, dated 1987, or the latest revision thereto, or other applicable regulations.

2. No plat shall be finally approved for recording, and no building permits shall be issued until the applicant has completed all required improvements or has provided a performance guarantee in accordance with §310, hereof.

3. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

4. On or before the completion of subdivision or land development improvements, the permanent stormwater management system for a tract shall be installed or constructed in accordance with the approved stormwater management plan. All such work shall be as specified in the approved plan. Continued functioning of these facilities shall be maintained, as necessary, in accordance with §311, for the maintenance bond period required by §§603 and 607 of this Chapter and Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

5. All trenches or other excavations in existing or proposed Township streets shall be backfilled in accordance with the following (except where the standards of another agency apply):

A. Backfilling shall be done as promptly as possible.

B. The trench shall be backfilled with hand-placed screenings or .2B modified stone and compacted. The pipe shall be chocked in place and

the backfill shall be thoroughly mechanically tamped to a height of at least one (1) foot above the top of the conduit, pipe or pipe bell. All backfill shall be free from refuse, boulders, rocks, unsuitable organic material or other material that, in the opinion of the Township Engineer, is unsuitable.

C. When the pipe is located in a dedicated street or any place where paving (including driveways) may be placed, the remainder of the trench shall be backfilled with 2B modified stone, separated from screenings, if used, by filter fabric and promptly compacted. The backfill material shall be mechanically tamped in approximately six (6) inch layers.

D. Where openings have been made in existing Township roads, paving shall be restored in accordance with the paving standards contained in this Chapter. Openings made in State roads shall be restored in accordance with the Pennsylvania Department of Transportation Specifications. Permits shall be required before paving is opened in any existing State or Township road. Within one (1) year of the completion of new, or the repaving of existing roads in the Township, openings made by utility companies shall require the complete repaving, by the utility company, of such roads a minimum distance, in either direction of the opening, equal to the minimum lot width of the zoning district.

E. Where openings are made behind the curb line, work shall be as specified below. The opening shall be covered with good topsoil to a depth of six (6) inches and seeded or sod installed to the satisfaction of the Township Engineer.

F. Whenever the trenches have not been properly filled or if settlement occurs, they shall be refilled, compacted, smoothed off and finally made to conform to the surface of the ground.

G. Frozen earth shall not be used for backfilling, nor shall any backfilling be done when materials already in the trench are frozen.

H. Where excavated material, or any portion thereof, is deemed by the Township Engineer to be unsuitable for backfilling, the developer shall procure and place backfill material approved by the Township, and the unsuitable material disposed of properly.

6. At all times during the construction of the project, stone beds shall be positioned at all points exiting the site to facilitate the cleaning of mud and debris from all vehicles leaving the site.

7. No burning or burying of trash or debris anywhere on the site shall be permitted. To ensure that all trash and debris is removed, a trash container of adequate capacity shall be placed at appropriate locations on the work site.

(Ord. 128, 7/19/2004, \$600)

§602. Inspections.

1. All land disturbance work shall be performed in accordance with an inspection and construction control schedule approved by the Township Engineer. No work shall proceed to a subsequent phase until inspected and approved by the Township Engineer who shall then file a report thereon with the Township. The construction or installation of all improvements shall be, at all times, subject to inspections by a representative of the Township. If such inspection reveals that work is not in accordance with approved plans and specifications, that construction is not being done in a workmanlike manner, or that erosion or sediment controls are failing to prevent accelerated erosion or waterborne sediment from leaving the site construction, such representative is empowered to require corrections to be made, and upon authorization by the Board of Supervisors to issue a cease and desist order, which shall provide that no further construction shall take place on the site including construction of buildings for which permits are held by the developer except for the construction necessary to remedy the defects cited.

2. The said cease and desist order shall be terminated upon the determination by Township representatives that the said defects or deviations from plan requirements have been corrected.

3. After commencement of initial earthmoving operations, the Township Engineer shall inspect at the following points in the development of the site, or of each stage thereof:

A. Upon completion of stripping, the stockpiling of topsoil, the construction of temporary stormwater management and erosion control facilities, disposal of all unsuitable materials, and preparations of the ground.

B. Upon completion of rough grading, but prior to placing topsoil, installing permanent drainage or other site improvements, or establishing covers.

C. During construction of the permanent facilities, at such time(s) as specified by the Township Engineer.

D. Upon completion of permanent stormwater management facilities, including established ground covers and plantings for that purpose.

E. Upon completion of final grading, vegetative control measures and all other site restoration work undertaken in accordance with the approved plan and permit.

F. The Township Engineer may make random inspections, as he deems necessary and appropriate.

4. No underground pipes, structures, subgrades or base course shall be covered until inspected and approved by the Township. A minimum of six (6) inspections by the designated representative shall be required. These inspections shall be effected as follows:

- A. Excavation and completion of grade.
 - B. Excavation, installation and completion of drainage, structures, sewage systems or water supply systems.
 - C. Prior to placing first base course and between such base course.
 - D. Prior to placing binder course.
 - E. Prior to placing wearing course.
 - F. Final inspection in accordance with §602(1).
5. The applicant shall notify the Township Engineer at least forty-eight (48) hours in advance of commencement of any construction operations requiring an inspection.
6. In the review of any stormwater management plan, the Township Engineer shall have discretion to modify or waive the otherwise applicable inspection schedule called for in this Section.
7. The applicant shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by resolution, and revised from time to time. Such expense shall be in accordance with the ordinary and customary fees charged by the Township Engineer or consultant including wetland consultants for work performed for similar services in the Township, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
- A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Township that such expenses are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.
 - B. If, within twenty (20) days from the date of billing, the Township and the applicant cannot agree on the amount of expenses which are [reasonable and] necessary, then the applicant and Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is necessary.
 - C. The professional engineer so appointed shall hear such evidence and review such documentation, as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

D. In the event that the Township and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then upon application of either party, the President Judge of the Court of Common Pleas of Chester County (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Township Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the applicant within the preceding five (5) years.

E. The fee of the appointed professional engineer for determining the reasonable and necessary expense shall be paid by the applicant in the event that:

(1) The amount of payment required in the decision is equal to or greater than the original bill.

(2) The amount of payment required in the decision is less, by up to one thousand dollars (\$1,000.00), than the original bill.

If the amount of payment required in the decision is less, by over one thousand dollars (\$1,000), than the original bill, the Township shall pay fifty (50) percent, and the applicant shall pay fifty (50) percent, of the fee of the appointed engineer.

(Ord. 128, 7/19/2004, §601)

§603. Maintenance Responsibilities.

1. The responsibilities for the control of erosion and sedimentation and the maintenance of stormwater management facilities, storm drainage systems and watercourses shall be in accordance with Chapter 9, Grading and Excavating, Part 1, Stormwater Management, of the East Coventry Township Code of Ordinances.

2. All recreation and/or open space areas created under the terms of this Chapter shall be first offered to the Township and should the Township refuse acceptance they then shall be owned and maintained by a private homeowners association as approved by the Township and supported by a bond.

(Ord. 128, 7/19/2004, §602)

§604. Release From Performance Guarantee.

1. When the applicant has completed all of the necessary and appropriate improvements, he shall notify the Board of Supervisors, in writing, by certified or registered mail, of the completion of such improvements and shall send a copy thereof to the Township Engineer. The Board of Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the improvements. The Township Engineer shall file a report, in writing, with the Board, and shall mail a copy of the report to the developer by certified

mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board, and shall be detailed and shall indicate approval or rejection of the improvements, either in whole or in part. If the improvements or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, the report shall contain a statement of reasons for such nonapproval or rejection.

2. The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing, by certified or registered mail, of the action of the Board with regard to approval, nonapproval, or rejection of improvements.

3. If the Board of Supervisors or the Township Engineer fail to comply with the time limitations as provided in this Section, all improvements will be deemed approved, and the applicant shall be released from all liability, pursuant to the performance guarantee.

4. If any portion of the improvements shall not be approved or shall be rejected by the Board of Supervisors, the applicant shall proceed to complete those improvements and, upon completion, the same procedure of notification as provided in this Section shall be followed.

5. The developer shall be responsible for maintenance of all subdivision or land development improvements until such improvements are offered for dedication and are accepted by the Township. In addition, ten (10) percent of the performance guarantee shall be held back by the Township until the developer has posted a maintenance guarantee as required by §607 and as-built plans are verified and accepted by the Township as provided in §605.

6. Partial releases of the performance guarantee during the period of construction shall be authorized as provided in §310.

(Ord. 128, 7/19/2004, §603)

§605. As-Built Plans. Within sixty (60) days after completion and Township approval and final inspection of the subdivision or land development improvements as shown on the final plan, and before Township acceptance of such improvements, the developer shall submit to the Board a plan showing actual locations, dimensions and conditions of streets and all other public or common private improvements, including easements showing geometry and monument locations certified by a registered engineer to be in accordance with actual construction. As-built plans shall show elevations and inverts to all manholes, pipes and roads.

A. The Township Engineer shall review the as-built plans, including all corrections, and shall make a recommendation to the Board of Supervisors.

B. The Board of Supervisors may approve or disapprove the as-built plans. If the Board approves the as-built plans, one (1) set of such plans indicating such approval shall be returned to the applicant and

one (1) set shall be retained for Township records. If the as-built plans are disapproved by the Board, one (1) set of plans so disapproved shall have a notation and date of such disapproval placed thereon and shall be returned, together with the reasons for disapproval set forth in writing, to the applicant, and the remaining set shall be retained for Township records.

C. The as-built plans shall be provided to the Township as one (1) set of reproducible (Mylar®) copies and three (3) sets of paper prints. The as-built plans shall also be provided to the Township on compact disc as follows:

(1) Digital spatial data shall be fully compatible with AutoCAD 2000® or earlier versions. Files must be provided in the AutoCAD® data exchange (.dxf) format. ArcInfo® data is acceptable in the .e00 format provided the data is determined to be acceptable. All data is subject to review and approval prior to acceptance.

(2) The data shall be provided in an uncompressed format on a standard CD-ROM compatible with the Windows® 95, 98, 2000 or NT operating systems.

(Ord. 128, 7/19/2004, §604)

§606. Dedication and Acceptance of Improvements.

1. Upon completion of any public improvements shown on an approved subdivision plan and within ninety (90) days after approval of such public improvements as herein provided, the developer shall submit written offer of such public improvements for dedication to the Township. Said offer shall include a deed of dedication covering said public improvements together with satisfactory proof establishing the developer's clear title to said property. Such documents are to be filed with the Township for review of the Township Solicitor. Deeds of dedication for public improvements may be accepted by resolution of the Board at a regular meeting thereof. The Supervisors may require that at least eighty (80) percent of the lots in any approved subdivision or land development (or phase thereof, if final plan approval has been in phases) have certificates of occupancy issued for buildings thereon prior to acceptance of dedication. Should the streets, even though constructed according to the specifications of this Chapter, deteriorate before the said eighty (80) percent of the lots have certificates of occupancy issued, such streets shall be repaired in a manner acceptable to the Board before being accepted by the Township.

2. If the developer fails to offer dedication of said improvements, then the Board may, in addition to any other remedies provided by law, require the applicant, or his heirs, successors, executors or assigns, to make an offer at any time in the future that the best interests of the Township are served by the dedication and acceptance of the public improvements.

3. The Township shall have no obligation to takeover and make public any street, other improvement or park, however, unless:

A. The required improvements, utility mains and laterals, monuments, markers, etc., shown on the approved final plans, have been certified by the Township Engineer as having been constructed in accordance with the provisions of this Chapter.

B. It is established to the satisfaction of the Board that there exists a need for the improvements to be taken over and made public.

4. The Township shall have no responsibility with respect to any park, street or other improvement, notwithstanding the use of the same by the public, unless the park, street or other improvement has been accepted by ordinance or resolution by the Board.

5. The Board may require that certain subdivision and land development improvements remain undedicated, with maintenance the responsibility of individual lot owners, a homeowner's association or similar entity, or an organization capable of carrying out maintenance responsibilities.

(Ord. 128, 7/19/2004, §605)

§607. Maintenance Guarantee. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement), the Board shall require the posting of financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications as depicted on the final plan. The security shall be in the form authorized for the deposit of the performance guarantee, as described in §310 of this Chapter, and shall be for a term of eighteen (18) months from the date of the acceptance of dedication and shall be in an amount equal to fifteen (15) percent of the actual cost of installation of the improvements so dedicated.

(Ord. 128, 7/19/2004, §606)

§608. Liability Insurance. If, in the opinion of the Township Engineer, the nature of any land disturbance work is such that it may create a hazard to human life or endanger adjoining property or property at a higher or lower elevation, or any street or street improvement, or any other public property, then the Township may require, upon the advice of the Township Engineer, that the applicant provide a certificate of insurance confirming that the applicant is insured against claims for damages for personal and bodily injury and property damage (including damage to East Coventry Township by deposit or washing of material onto municipal streets or other public improvements), which may arise from or out of the performance of the work, whether such performance be by the applicant, his subcontractor, or any person directly or indirectly employed by him. The certificate of insurance shall also list East Coventry Township as an additional insured, and be presented to the Township Manager prior to the disturbance work. The amount of such insurance shall be prescribed by the Township in accordance with its

determination of the risks involved to persons or property but in no event shall the amount be less than one hundred thousand dollars (\$100,000) per occurrence. Such insurance shall be written by a company licensed to do business in Pennsylvania and shall be satisfactory to the Township. Neither issuance of a permit nor compliance with the provisions thereto or any condition imposed by the Township shall relieve any person from any responsibility for damage to persons or property otherwise imposed by law, nor shall it impose any liability upon the Township for damages to persons or property.

(Ord. 128, 7/19/2004, §607)

Part 6-A

Standard Construction and Material
Specifications for Public Improvements

§601-A. Standard Specifications. The following standard construction and material specifications shall apply to the public improvements covered by such standard specifications as provided therein: "Standard Construction and Material Specifications for Public Improvements for East Coventry Township," revised May 4, 2007, numbered ARRO #5222.35, and prepared by ARRO Consulting, Inc. (Ord. 142, 8/6/2007, §1)

§602-A. Supplemental Nature of Standard Specifications. The standard construction and material specifications provided under §601-A shall not be exclusive but shall be in supplement to other provisions of this Chapter and/or provisions of other Township ordinances, rules and regulations, which apply to public improvements covered by such standard specifications, to the extent that such other provisions of this Chapter and/or provisions of other Township ordinances, rules and regulations are not inconsistent with such standard specifications. (Ord. 142, 8/6/2007, §1)

§603-A. Inconsistencies.

1. In the event of an inconsistency between (i) provisions of the standard construction and material specifications provided under §601-A, and (ii) other provisions of this Chapter and/or provisions of other Township ordinances, rules and regulations (other than those provisions specifically providing for the construction, installation or other completion of public improvements in a designated floodplain district), the provisions of the standard specifications shall govern.

2. In the event of an inconsistency between (i) provisions of the standard construction and material specifications provided under §601-A, and (ii) other provisions of this Chapter and/or provisions of other Township ordinances, rules and regulations that specifically provide for the construction, installation or other completion of public improvements in a designated floodplain district, the most restrictive provisions shall govern.

(Ord. 142, 8/6/2007, §1)

Part 7

Administration

§701. Enforcement.

1. Inspection revealing noncompliance with plans submitted under the provisions of this Chapter, including all supplementary data required, shall be sufficient grounds for withdrawal of building permits by the Township until correction thereof, or other penalties or remedies, including injunctive relief, as may be provided by law.

2. Preventive Remedies.

A. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

B. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:

(1) The owner of record at the time of such violation.

(2) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

(3) The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

(4) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

C. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

3. Enforcement Remedies.

A. Any person, partnership or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

(Ord. 128, 7/19/2004, §700)

§702. Records.

1. The Township shall assign a subdivision application number to all subdivision and land development applications, and all matters referring to an application should be filed in accordance with the subdivision case number. The Township shall keep a record of its findings, decisions, and recommendations relative to all plans filed with it for review.

2. All such records shall be public records.

(Ord. 128, 7/19/2004, §701)

§703. Fees and Costs.

1. No application for sketch plan, preliminary plan, or final plan approval shall be deemed submitted until the fees and escrow deposits, as set forth below, have been paid.

2. Subdivision or land development application fees (nonrefundable) and escrow deposits shall be submitted with any application for sketch plan, preliminary plan, or final plan approval to cover the costs of plan review and processing. The amounts of the application fees and escrow deposits shall be fixed by resolution of the Board of Supervisors. The escrowed funds

shall be used to reimburse the Township for actual expenditures incidental to these processes including, but not limited to, fees of the Township Engineer and Township Planner, and legal fees in excess of the fee for review of the Township's standard forms. Any costs incurred by the Township in excess of the amount held in escrow shall be fully reimbursed by the applicant prior to the issuance of any permits. Any unexpended balance in the escrow deposit shall become part of the second deposit required in §703(3).

3. Following final plan approval and recording and the establishment of any required performance guarantee, a second escrow deposit shall be established to cover the cost of inspections of improvements construction; materials or site testing; or maintenance costs prior to the acceptance of improvements by the Township. Any costs incurred by the Township in excess of the amount held in escrow shall be fully reimbursed by the applicant. The amount of the escrow deposit shall be fixed by resolution of the Board of Supervisors.

(Ord. 128, 7/19/2004, §703)

§704. Modifications and Waivers.

1. In any case in which an applicant demonstrates to the satisfaction of the Board of Supervisors that strict application of any provisions of this Chapter would be unreasonable and would cause unnecessary hardship as applied to the proposed subdivision or land development, the Board may grant a modification or waiver from the mandatory provision to grant relief from the unnecessary hardship; provided, however, that such modifications shall not be granted if it would be contrary to the public interest and have the effect of nullifying the intent and purpose of this Chapter.

2. In granting modifications and waivers, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements so modified.

3. All requests for a modification or waiver shall be in writing and shall accompany and be a part of the application for preliminary plan approval. The request shall state, in full, the grounds and facts of unreasonableness or hardship on which the request is based, provision or provisions of the Chapter involved, and the minimum modification necessary.

4. A request for a modification or waiver shall be reviewed by the Planning Commission who shall make recommendation to the Board of Supervisors. The Board shall keep a written record of all action on all requests for modification or waiver.

(Ord. 128, 7/19/2004, §703)

§705. Appeals. Appeals from the actions of the Board of Supervisors with respect to any application for subdivision or land development approval shall be governed by the provisions of Act 247 as they may be amended from time to time, or any successor legislation thereto. (Ord. 128, 7/19/2004, §704)

§706. Amendments.

1. Power to Amend. The provisions of this Chapter may be, from time to time amended by the Board of Supervisors.

2. Procedure. The following requirements shall be observed prior to making any amendment to this Chapter:

A. Before voting on the enactment of a proposed amendment, the Board of Supervisors shall hold a public hearing thereon pursuant to public notice as defined by this Chapter, at which time the parties in interest and citizens shall have an opportunity to be heard. A brief summary setting forth the principal provisions of the proposed amendment and a reference to the place within the Township where copies of the proposed amendment may be secured or examined shall be incorporated into the public notice.

B. Proposed amendments shall be submitted to the Township Planning Commission for their findings and recommendations at least thirty (30) days prior to the date fixed for the public hearing on such proposed amendment, if the amendment has been prepared by an agency other than the Township Planning Commission. In addition, the proposed amendment shall be submitted to the County Planning Commission for their recommendations at least thirty (30) days prior to the date fixed for the public hearing on the amendment.

C. The findings of the Township Planning Commission shall be submitted to the Board of Supervisors, upon their request, in a written report.

D. Prior to the enactment of proposed amendments, the Township shall publish the proposed amendment once in a newspaper of general circulation in the Townships not more than sixty (60) days and not less than seven (7) days prior to passage. Publication of the proposed amendment shall include the time and place of the meeting, the place within the Township where copies of the proposed amendment can be obtained, and either the full text thereof or the title and a brief summary prepared by the Township Solicitor, setting forth all the provisions in reasonable detail. If the full text is not included:

(1) A copy thereof shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published.

(2) An attested copy of the proposed amendment shall be filed in the County Law Library.

(3) In the event substantial changes are made in the proposed amendment, before voting upon enactment, the Board of Supervisors shall, at least ten (10) days prior to the enactment, re-advertise in a newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail, together with a summary of the changes.

E. Within thirty (30) days after enactment, the Board of Supervisors shall forward a certified copy of the amendment to the County Planning Commission.

(Ord. 128, 7/19/2004, §705)

Appendix

Hydric Soils

HYDRIC SOILS OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY

The following hydric (wet) soils are found in East Coventry Township.
Source: *The Soil Survey of Chester and Delaware Counties, 1959.*

- 1 **Bowmansville Silt Loam (Bo)** - These are deep, poorly drained soils on floodplains. They are flooded by normal high waters of streams.

Building. In terms of suitability for building, Bowmansville silt loam is classified as Group 13 for building sites. This group is unstable as sites for homes or other buildings.

2. **Croton Silt Loam (CrA - 0% - 3%) and Croton Silt Loam (CrB - 3% - 8%)**
These soils are poorly drained soils on uplands.

Building. In terms of suitability for building, Croton silt loam is classified in Group 12 for building sites. This group is unsatisfactory as foundations for heavy structures. Commercial and residential structures will require that floors be raised above the level reached by the water table. The fill needs adequate drainage so that the water will not rise to the new level.

Septic Tanks. These soils are unsuitable as fields for septic tanks.

3. **Wehadkee Silt Loam (We)** - The Wehadkee series are deep, poorly drained soils on floodplains. Wehadkee silt loam has a high water table and is subject to frequent flooding.

Building. In terms of suitability for building, Wehadkee silt loam is classified as Group 13 for building sites. This group is unsuitable as sites for homes or other buildings.

Note: Although not classified as hydric soils, the Rowland soils series is classified as a floodplain soil. It is found along streams in East Coventry Township.

SUBDIVISION AND LAND DEVELOPMENT

EAST COVENTRY TOWNSHIP

SUBDIVISION AND LAND DEVELOPMENT PLAN REVIEW PROCESSING SCHEDULE

SKETCH PLAN

Submission of Plan and Application by Applicant	Acceptance of Plan and Application by Planning Commission	Professional Review* Received by Planning Commission	Planning Commission Meeting	Planning Commission Meeting	Comments of Planning Commission To Board of Supervisors	Decision of Board of Supervisors to Applicant
--	---	--	-----------------------------------	-----------------------------------	---	--

14 Consecutive Calendar Days	21 Consecutive Calendar Days	7 Consecutive Calendar Days	30 Consecutive Calendar Days	5 Consecutive Calendar Days	27 Consecutive Calendar
---------------------------------	---------------------------------	--------------------------------	---------------------------------	--------------------------------	----------------------------

63 Consecutive Calendar Days

90 Consecutive Calendar Days

*Township Engineer, Township Planner, Chester County Planning Commission, Other Technical Review as Required

PRELIMINARY PLAN

Submission of Plan and Application by Applicant	Acceptance of Plan and Application by Planning Commission	Professional Review* Received by Planning Commission	Planning Commission Meeting	Planning Commission Meeting	Comments of Planning Commission To Board of Supervisors	Decision of Board of Supervisors to Applicant
--	---	--	-----------------------------------	-----------------------------------	---	--

■ ----- ■ ----- ■ ----- ■ ----- ■ ----- ■ ----- ■ ----- ■

14 Consecutive Calendar Days	21 Consecutive Calendar Days	7 Consecutive Calendar Days	30 Consecutive Calendar Days	5 Consecutive Calendar Days	27 Consecutive Calendar Days
---------------------------------	---------------------------------	--------------------------------	---------------------------------	--------------------------------	---------------------------------

■ ----- ■

63 Consecutive Calendar Days

■ ----- ■

90 Consecutive Calendar Days

*Township Engineer, Township Planner, Chester County Planning Commission, Other Technical Review as Required

FINAL PLAN

Submission of Plan and Application by Applicant	Acceptance of Plan and Application by Planning Commission	Professional Review* Received by Planning Commission	Planning Commission Meeting	Planning Commission Meeting	Comments of Planning Commission To Board of Supervisors	Decision of Board of Supervisors to Applicant
--	---	--	-----------------------------------	-----------------------------------	---	--

14 Consecutive Calendar Days	21 Consecutive Calendar Days	7 Consecutive Calendar Days	30 Consecutive Calendar Days	5 Consecutive Calendar Days	27 Consecutive Calendar Days
---------------------------------	---------------------------------	--------------------------------	---------------------------------	--------------------------------	---------------------------------

63 Consecutive Calendar Days

90 Consecutive Calendar Days

*Township Engineer, Township Planner, Chester County Planning Commission, Chester County Health Department, Chester County Conservation District, Sewer Authority of Entity, Water Authority or Entity, Other Technical Review as Required

PLANT LIST

1. Recommended Street Trees

The following list is for street tree planting only; species listed should not be used in wet or natural areas. However, species marked with an asterisk (*) are suitable for planting in wet or natural areas.

Large Trees (over 40 feet in height) - Should be planted 40 feet on center

Acer rubrum "Red Sunset"	Red Maple
Acer saccharum "Green Mountain"	Sugar Maple
Celtis occidentalis*	Common Hackberry*
Gleditsia triacanthos "inermis"	Thornless Honey Locust
Platanus acerifolia	London Plane Tree
(Liberty or Columbia varieties)	
Quercus coccinea*	Scarlet Oak*
Quercus macrocarpa	Willow Oak
Quercus palustris*	Pin Oak*
Quercus rubra*	Northern Red Oak*
Quercus shumardii	Shumard Oak
Tilia cordata	Littleleaf Linden
Zelkova serrata	Japanese Zelkova

Medium Trees (30 to 40 feet in height) - Should be planted 30 feet on center

Acer campestre	Hedge Maple
Carpinus betulus	European Hornbeam
Carpinus caroliniana*	American Hornbeam*
Crataegus crusgalli inermis	Thornless Cockspur Hawthorn
Koeleruteria paniculata	Goldenrain Tree
Prunus serrulata "Kwanzan"	Kwanzan Cherry
Prunus sargentii	Sargent Cherry
Pyrus calleryana	Flowering Pear (Aristocrat or Redspire varieties)
Sophora japonica	Scholar Tree
Syringe reticulata	Japanese Tree Lilac

SUBDIVISION AND LAND DEVELOPMENT

2. Recommended Plant Material for General Landscaping, Screening and Buffering.

In addition to the following lists, some recommended Street Trees from Section 1 above, may be suitable for General Landscaping purposes.

Native Trees for General Use

Acer saccharum
Cercis canadensis
Cornus alternifolia
Cornus florida
Diospyrus virginiana
Fagus grandifolia
Fraxinus americana
Ilex opaca
Liriodendron tulipifera
Prunus serotina
Quercus alba
Quercus coccinea
Quercus falcata
Quercus prinus
Quercus rubra
Quercus velutina
Sassafras albidum

Sugar Maple
Redbud
Pagoda Dogwood
Flowering Dogwood
Common Persimmon
American Beech
White Ash
American Holly
Tulip Poplar
Black Cherry
White Oak
Scarlet Oak
Spanish Oak
Chestnut Oak
Red Oak
Black Oak
Sassafras

Native Shrubs for General Use

Amelanchier laevis
Corylus americana
Crataegus phaenopyrum
Crataegus punctata
Crataegus virdis
Hamamelis virginiana
Kalmia latifolia
Myrica cerifera
Prunus americana
Rhododendron atlanticum
Rhododendron periclymenoides
Rhododendron viscosum
Rhus copallina
Rhus glabra
Rhus typhina
Sambucus canadensis
Vaccinium corymbosum
Vaccinium pallidum
Viburnum acerifolium
Viburnum dentatum

Smooth Serviceberry
American Hazelnut
Washington Hawthorn
Thicket Hawthorn
Green Hawthorn
Witchhazel
Mountain Laurel
Wax Myrtle
Wild Plum
Coast Azalea
Pinxterbloom Azalea
Swamp Azalea
Shining Sumac
Smooth Sumac
Staghorn Sumac
Elderberry
Highbush Blueberry
Lowbush Blueberry
Mapleleaf Viburnum
Arrowwood

Evergreen Trees

Abies concolor	White Fir
Ilex opaca	American Holly
Juniperus virginiana	Red Cedar
Pinus strobus	White Pine
Pinus au Fastigiata	Pyramidal White Pine
Pinus thunbergi	Japanese Black Pine
Pseudotsuga taxifolia	Douglass Fir
Thuja occidentalis	American Arborvitae
Tsuga Canadensis	Hemlock

Evergreen Shrubs

Ilex crenata	Japanese Holly
Ilex crenatat au Helleri	Helleri Holly
Juniperus horizontalis	Creeping Juniper
Kalmia latifolia	Mountain Laurel
Pinus mugo mugo	Mugo Pine
Rhododendron canadense	Catawba Rhododendron
Rhododendron carolinianum	Carolina Rhododendron
Taxus buccatta	English Yew
Taxus cuspidate	Japanese Yew

3. Recommended Plant Material for Wet Areas

The following list contains plant materials recommended for wet areas. Unless specifically stated, all plant species listed are native to this geographic area.

Native Trees for Moist Soils and Stream Banks

Acer negundo	Box Elder
Acer rubrum	Red or Swamp Maple
Acer saccharinum	Silver Maple
Alnus serrulata	Common Alder
Amelanchier canadensis	Downy Shadblow or Serviceberry
Asimina triloba	Pawpaw
Betula lenta	Sweet Birch
Betula nigra	River Birch
Carpinus caroliniana	American Hornbeam (Ironwood)
Carya cordiformis	Bitternut Hickory
Chionanthus virginicus	Fringetree
Fraxinus pennsylvanica	Green Ash
Liquidambar styraciflua	Sweetgum
Magnolia virginiana	Sweetbay Magnolia
Nyssa sylvatica	Black Gum
Platanus occidentalis	American Sycamore, Buttonwood
Populus heterophylla	Swamp Cottonwood
Quercus bicolor	Swamp White Oak
Quercus nigra	Water Oak
Quercus palustris	Pin Oak

SUBDIVISION AND LAND DEVELOPMENT

Quercus phellos
Salix nigra
Tilia americana

Willow Oak
Black Willow
American Linden

Native Shrubs for Moist Soils and Stream Banks

Aronia arbutifolia
Aronia prunifolia
Baccharis halimifolia
Cephalanthus occidentalis
Clethra alnifolia
Cornus amomum
Ilex glabra
Ilex laevigata
Ilex verticillata
Itea virginica
Leucothoe racemosa
Lindera benzoin
Lyonia ligustrina
Rhododendron viscosum
Rosa palustris
Salix discolor
Vaccinium corymbosum
Viburnum nudum
Viburnum prunifolium
Viburnum recognitum

Red Chokeberry
Purple Chokeberry
Groundsel Tree
Button Bush
Summersweet (Sweet Pepperbush)
Silky Dogwood
Inkberry
Smooth Winterberry Holly
Winterberry
Sweetspire
Sweetbells, Fetterbush
Spicebush
Staggerbush
Swamp Azalea
Swamp Rose
Glaucus Willow, Pussywillow
Highbush Blueberry
Smooth Witherod
Black Haw
Northern Arrowwood